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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1415/2022**

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr. Rajeev K. Virmani, Sr. Advocate
(Amicus Curiae) with Ms. Saloni
Sharma, Ms. Deveshi Madan, Ms.
Shriya Gambhir and Ms. Diva Saigal,
Advocates

versus

MR. AMAR SINGH BHALLA

.....Respondent

Through: Mr. Abhishek Saket, SPC and Mr.
Gokul Sharma, GP for UIDAI

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

01.05.2025

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1. The Contemnor/Respondent No. 5 is not present in the Court today. He is directed to remain physically present in the Court on each date of hearing unless an exemption is sought for.
2. Learned *Amicus Curiae* has drawn the attention of the Court to the judgment dated 15.09.2023 passed by the Coordinate Bench of this Court as well as the Order dated 03.09.2024 passed by this Court to submit that despite the orders being passed by the Court, the Respondent No. 5 continues to evade the law.
 - 2.1 Learned *Amicus Curiae* further submits that on 03.09.2024, the Court had directed the District Collector, Agra, Uttar Pradesh to provide a report in regard to the recovery certificate issued under Section 5 of the Revenue

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Recovery Act, 1890 on an urgent basis.

3. It is apposite to extract the paragraphs 1, 2 and 3 and 3.1 of the Order dated 03.09.2024 in this behalf:

“1. Learned Senior Counsel appearing as an amicus curiae draws the attention of this Court to orders dated 02.02.2023, 05.04.2023, 03.05.2023 and 26.05.2023 to submit that despite repeated directions the report as was directed to be furnished by the learned District Collector, Agra, UP has still not been furnished.

2. This Court had by its order dated 02.02.2023 had directed that the recovery certificate be issued under Section 5 of the Recovery Revenue Act, 1890 given that the Respondent No.5 has given the details of property belonging to him being 1/3rd share in property being agricultural land in Kh. nos. as Khatauni No. 00283, Khasra Nos. 918/46, 918/1 min, 918/45 and 922/80 (total area = 2.1900 hectare) situated in village Sonikhera, Pargana & Tehsil –Khera Garg, Agra, U.P. The learned Collector was also directed to send a report in this regard to the Court within 8 weeks.

3. Let the report as set out aforesaid be provided on an urgent basis by the District Collector, Agra, U.P. and not later than four weeks from today.

3.1 Registry shall ensure that a copy of this order is sent to the concerned office on an urgent basis.”

4. The record reflects that a report of the Additional District Magistrate (F/R), Agra, UP has been filed before this Court on 26.11.2024. The relevant extract of this report is set out below:

“...in compliance of afforsaid order shri Vinod kumar (Naib tehsildar, Tehsi-kheragarh) personally submitted a compliance report in the judicial receipt section of Hon'ble High Court Delhi whose entry/diary no. 2900 dated 31.01.2024. in this submitted report it is said that the proceedings of attachment and auction of the agricultural land in kh. No. khautani khata no. 00283 khasra nos 918/46 918/1 min. 918/45 (correct khasara no. is 918/48 certified copy of land record attached) and 922/80 (total area = 2.1900 hectare) situated in village sonikhera, pargana and tehsil kheragarh district agra, uttar pradesh were carried out repeatedly under section 5 of the recovery revenue act 1890 but the land in questioned could not be auctioned due to not bidding as per minimum

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prescribed rates (circle rates, proceedings attached). The land in question has been confiscated on land records (khautani attached) due to which neither crops can grown on that land nor can it be sold except auction.

... ”

5. Let a copy of the report be supplied to the learned *Amicus Curiae* and the parties.
6. Learned *Amicus Curiae* submits that the position that has been set out in this report is the position as was obtaining more than a year ago.
7. In these circumstances, it is apposite to once again direct that an up-to-date report from the Additional District Magistrate (F/R) Agra, UP be obtained.
8. Let an updated status report be filed by the Additional District Magistrate/Collector (F/R) Agra, UP within six weeks from today.
9. The Registry shall ensure that a copy of the Order passed today is also served to the learned Standing Counsel appearing before the Supreme Court for the State of UP.
10. Given the fact that the Contemnor is not appearing before the Court and the directions still remains unadhered, this Court also deems it apposite to issue Court Notice to the sureties.
11. Accordingly, on steps being taken, let Court Notice be issued to the sureties to show cause as to why action be not taken in terms of Order dated 01.06.2023.
12. List on 03.09.2025.
13. The parties shall act based on the digitally signed copy of the order.

MAY 1, 2025/g.joshi

TARA VITASTA GANJU, J

[Click here to check corrigendum, if any](#)

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