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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RSA 218/2025

SHRI JAGDISH PRASAD (SINCE DECEASED) THROUGH LRS
SHRI KRISHAN KUMAR BHARDWAJ & ORS.Appellants

Through: Mr. J.K Jain, Advocate.

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: Mr. Tushar Sannu and Mr. Shivam,
Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **22.12.2025**

CM APPL. 81093/2025 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

RSA 218/2025 & CM APPL. 81092/2025 (stay)

By way of the present second appeal filed under section 100 of the Code of Civil Procedure 1908, the appellants impugn order dated 30.10.2025 passed by the learned JSCC/ASCJ/Guardian Judge-01, West District, Tis Hazari Courts, Delhi in appeal bearing RCA SCJ No.336/2016.

2. Mr. J.K. Jain, learned counsel appearing for the appellants submits, that the appellants' (plaintiffs') suit seeking permanent injunction was decreed by the learned trial court restraining the respondent



(defendant) from dispossessing the appellant of the suit property; however the learned first appellate court has reversed that finding while also imposing costs of Rs.50,000/-.

3. Mr. Jain argues, that the suit property is situate in a Lal Dora area and the appellants' possession of the suit property is recognised *vide* Certificate dated 12.12.2017 issued by the concerned patwari.
4. It is submitted that no document of title is issued in respect of property situate within a Lal Dora area.
5. In the circumstances, the substantial questions of law that arise in the present appeal are:
 - 5.1. Whether there is any record of 'title' or 'ownership' of property situate within a Lal Dora area of a village; and
 - 5.2. Whether possession itself amounts to ownership based on a survey conducted of the area and the issuance of the Lal Dora certificate.
6. These questions have been raised in the context of the Lal Dora area of village Peeragarhi which was urbanised by a notification under section 507 of the Delhi Municipal Corporation Act, 1957 and vested in the DDA *vide* a notification under section 22 of the Delhi Development Act 1957.
7. Issue notice.
8. Learned counsel appears on behalf of respondent on advance copy; and accepts notice.
9. Let reply to CM APPL.No.81092/2025 be filed within 06 weeks; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copy to the opposing counsel.



10. No reply is required in the appeal.
11. Let trial court record alongwith first appellate court record be requisitioned in electronic form; and copies thereof be supplied to counsel on request.
12. On a *prima-facie* view of the matter, in view of the above substantial questions of law framed, the effect and operation of the impugned judgment and decree dated 30.10.2025 of the learned first appellate court shall remain *stayed* till the next date of hearing before this court.
13. Re-notify for hearing on 16th April 2026.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 22, 2025

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