



\$~5

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CS(OS) 3370/2014 & I.A. 21905/2014

SATBIR SINGH

..... Plaintiff

Through: Mr. N. Prabhakar and Mr. Dhruv
Sharma, Advocates. (M:9818943602)

versus

TEJVIR SINGH AND OTHERS

..... Defendants

Through: Mr. Aayush Paranjpe, Advocate for
D-1. (M:8447023561)
Mr. Sandeep Khurana and Ms.
Seemab Ali Fatima, Advocates for D-
2 and 3. (M:9810118389)
Mr. Swastik Singh and Mr. Utkarsh
Goel, Advocates for D-4 and 5.
(M:9717419767)
Mr. V. K. Singh and Ms. Nisha Hans,
Advocates for D-6. (M:9811645002)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

%

31.01.2019

1. Submissions have been heard in part in respect of the issues to be framed in the case as also on the objections raised in respect of maintainability of the suit, in view of the Delhi Land Reforms Act (*hereinafter*, 'DLR Act'). It is the submission of learned counsels for the Defendants that the order passed by the Revenue Assistant dated 29th February, 1984 is an appealable order under the DLR Act and such an appeal should be filed by the Plaintiff. Learned counsels also submit that the jurisdiction of the Civil Court is barred as the Plaintiff is seeking possession



of agricultural land.

2. On the other hand, learned counsel for the Plaintiff has pointed out that as per the said order of the Revenue Assistant a declaration has been granted by the Revenue Assistant that the predecessor-in-interest of Defendant No.1 to 5 holds the *Bhumidari* rights in the property. The said order was passed without hearing the Plaintiff, who was made the Respondent in the said case.

3. Before hearing further, it is directed that the records of ***Case No.4/RA/84 maintained by the Revenue Assistant titled Sukhbir Singh v. Satbir Singh*** relating to Village Saidulajab, Tehsil Mehrauli, New Delhi be summoned for the next date.

4. A copy of the order passed by the Revenue Assistant dated 29th February, 1984 may be attached to the notice in order to enable the Revenue Assistant's office to produce the records on the next date. In addition, learned counsel for the Plaintiff is directed to serve notice of this order to Mr. Ramesh Singh, Standing Counsel, Government of NCT Delhi to enable production of records on the next date.

5. Defendants to file the affidavit as to the physical status of this property before the next date.

6. List on 25th April, 2019.

PRATHIBA M. SINGH, J.

JANUARY 31, 2019

Rekha