

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 7774/2014

RAVINDER KUMAR SEJWAL (DECEASED)
THROUGH LRS. & ANR.

Appellant(s)

VERSUS

DELHI DEVELOPMENT AUTHORITY

Respondent(s)

O R D E R

We have heard learned counsel for parties.

We are clear in our view that the appellants must have access to their property and cannot be landlocked. We have seen the map, photographs, placed on record as also the email produced by the respondent. If we turn to the impugned judgment dated 26.11.2008, while it is noticed that both before the Trial Court and the High Court, the appellants failed to establish any rights nor the existence of a pathway, it has been opined that post acquisition of land placed at the disposal of DDA for construction of flats, some scenario has

developed at site but then the DDA had clearly stated that it would have no objection if a finding is returned that the DDA would leave a strip of land having a length of six feet contiguous to the road which ends at the boundary of the land of Suresh Kumar and the appellants as per exhibit DW-1/1 having width equal to the width of the existing road towards the northern boundary of the land of Suresh Kumar. On having taken the said statement on record in paragraph 34 a direction has been issued in the same terms.

On our query learned counsel for the respondent-DDA submits that since the appellants were apparently not interested in the aforesaid, the necessary road has not been constructed.

The aforesaid is not acceptable as it was a direction issued by the High Court and in compliance of the judgment that ought to have been carried out. Be that as it may, we now call upon the DDA to comply with their statement contained in paragraph 33 of the impugned judgment which has resulted in direction of the Court in paragraph 34 within a period of three months.

With the aforesaid direction, the appeal stands disposed of.

.....J.
(SANJAY KISHAN KAUL)

.....J.
(ABHAY S. OKA)

NEW DELHI
22nd March, 2023

ITEM NO.102

COURT NO.2

SECTION XIV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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([PART-HEARD BY HON'BLE SANJAY KISHAN KAUL AND HON'BLE ABHAY S.
OKA ,JJ.])

Date : 22-03-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Appellant(s) Mr. Braj Kishore Mishra, AOR
Mr. Abhishek Yadav, Adv.

For Respondent(s) Mr. Sanjay Poddar, Sr. Adv.
Mr. Ashwani Kumar, AOR
Mr. Anshay Dhatwalia, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeal stands disposed of in terms of the signed
order.

Pending application, if any, stands disposed of.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER

(signed order is placed on the file)