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

+ W.P.(C) 22/2022, CM APPL. 44/2022 (Stay)

SH P K GUPTA & ANR.

..... Petitioners

Through: Mr. M.A. Khan, Adv.

versus

GRAM SABHA MANDOLI & ANR.

..... Respondents

Through: Mr. Anupam Srivastava, ASC with
Mr. Ujjwal Malhotra, Adv.for R-.1.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

ORDER

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09.03.2022

Learned counsel for the petitioners is directed to correct the description of the second respondent in light of the fact that by virtue of Section 150(3) of the Delhi Land Reforms Act, 1954, the land has passed over to the Union. Consequently, the petitioners would have to correct the particulars and implead the appropriate Department of the Union Government.

Notice shall issue to respondent No.1. Mr. Srivastava, learned ASC has accepted notice on behalf of the said respondent. Let the respondent file a reply within a period of four weeks.

For the purposes of considering the prayer for interim relief, the Court takes note of the entries as appearing in the Khasra Girdawari which shows that the plot in question stands recorded in the name of various individual tenure holders. Admittedly, no formal partition or demarcation of the shares



of those tenure holders has been made or undertaken. The Court takes notice of the contention of the petitioner that the factory stands established on the portion of the plot which falls in the possession of Ramesh Kumar. This fact does not appear to have been noticed by the statutory authorities while proceeding to frame directions against the petitioners.

The additional affidavit has also placed on the record material in support of the contention of the petitioner that their portion of the plot in question is still being used for agricultural purposes. Learned counsel submits that the petitioners do not propose to use their holding for any purpose other than those sanctioned under the Act. Matter requires consideration.

Till the next date of listing, status quo as existing today shall be maintained insofar as the possession of the petitioners here is concerned.

List on 18.04.2022.

YASHWANT VARMA, J.

MARCH 9, 2022/neha