

THE SUB DIVISIONAL MAGISTRATE (MEHRAULI)
OLD TEHSIL BUILDING, MEHRAULI, NEW DELHI-30

No.7526/303/RA/Meh/2013/1871-75

Dated: 10/8/16

U/s 81 DLR Act, 1954

GAON SABHA AYA NAGAR

V/S

Ganeshi Ram

ORDER

This order shall dispose off the proceedings initiated u/s 81 of the DLR Act, 1954 in respect of land comprised in Kh. No. 1569 (4-16), 1570 (4-8) situated in the revenue estate of village Aya Nagar New Delhi.

The present proceedings were instituted on the basis of Halqua Patwari report received through the then Tehsildar dated 21/09/2013. Accordingly, LR-48 and Restraintment order were issued to the concerned. Notice dated 27/09/2013 in the terms of LR 48 was issued for 07/10/2013 to respondent to plead their case. On 07/10/2013 none appeared for respondent and no reply filed by them. Conditional order was passed on 18/12/2013 directing the respondent to convert back the suit land to agricultural use within a period of three months. The compliance of conditional order was sought by 21/03/2014 after that the matter was taken up on several dates but again none appeared for respondent nor any compliance of conditional order was filed by them despite the fact that the conditional order was duly served upon the respondent. The matter was finally taken up for hearing on 10/08/2016 wherein the Gaon Sabha was represented by Sh. V.P. Yadav, Advocate and again there was no representation on behalf of the respondent. Sh. Yadav argued that adequate opportunities have been accorded to the respondent to put forth their side but they did not care and pleaded hard for making conditional order absolute.

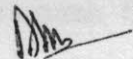
I have considered all the material placed in the case file and arguments presented by the counsel for Gaon Sabha. The case records clearly show that notices and conditional order were duly served on the respondent but he has not cared to defend the present proceedings. Non representation and no defence by the respondent despite several opportunities leave no option before this court but to decide the matter. The present proceedings are meant to be summary in nature and cannot be allowed to linger on for long durations. Hence, considering the particular facts of this matter, I, D.S. Verma, Revenue Assistant/SDM (Mehrauli) do hereby accept the contention of Gaon Sabha and hereby make the conditional order dated 18/12/2013 absolute and the suit land is vested in the Gaon Sabha. The respondents are hereby ejected from the suit land.

The Tehsildar (Mehrauli) is directed to ensure that the entries with regard to the present order are recorded in revenue records immediately.

Announced in the open court on 10/08/2016.

File be consigned to record room.

Given under my hand and seal of this court on this 10th day of August, 2016.



(D.S. VERMA)
REVENUE ASSISTANT/SDM (MEHRAULI)

Copy to: -

1. Sh. Ganeshi Ram, Village Aya Nagar, New Delhi
2. BDO (South) with the direction to initiate proceedings to take over the possession of the suit land.
3. Tehsildar (Mehrauli)
4. The Halqua Patwari with the direction to serve this order on the suit land by affixing it at some conspicuous place.
5. Asstt. Programmer, Distt (South) with the direction to upload this order on the website of this department.

