
Satish Kumar Arya Vs Municipal Corporation Of Delhi And Others

Civil Writ Petition No. 7728 Of 2023, Civil Miscellaneous Application No.
29825-29826 Of 2023

Court: Delhi High Court

Date of Decision: May 30, 2023

Acts Referred:

Code of Civil Procedure, 1908 " Section 151

Hon'ble Judges: Mini Pushkarna, J

Bench: Single Bench

Advocate: Parul Verma, Anuj Kumar Garg, Jainika Mohan, Avni Singh, Balendu Shekhar, Krishna Chaitanya, R.K. Mauraya, Ashim Vachher, Kunal Lakra, Sangeeta Bhati, Vrinda Awasthi, Malvi Balyan

Final Decision: Disposed Of

Judgement

Mini Pushkarna, J

CM APPL. 29825/2023 (Application under Section 151 CPC for exemption from filing certified copy of the annexures)

1. This is an application under Section 151 CPC for exemption from filing certified copy of annexures.
2. Allowed, subject to just exceptions.
3. Application is disposed of accordingly.

W.P.(C) 7728/2023 & CM APPL. 29826/2023 (Application under Section 151 CPC on behalf of the petitioner for directions and stay)

4. In the present writ petition, the case of the petitioner is that deceased father of the petitioner purchased Plot No. 77, measuring 150 Sq. Yds.,

Village Qadipur, in Radha Park, Sector-3, Delhi vide registered Sale Deed dated 16.04.1974.

5. It is submitted that deceased father of the petitioner was a member of the registered society of the plot holder owners which is a registered body

and known as Radha Park Plot Holder Association Delhi, which is registered with the Registrar of Societies.

6. It is submitted that taking benefit of the fact that the plot holder owners are the outsiders and not native of the village, the recorded owner in

connivance with other persons had executed registered sale deeds in respect of the same land of which earlier registered sale deed was duly executed

in favour of the plot owners.

7. It is submitted that the original owners did not stop themselves here, despite the fact that they had already lost their ownership and every right and

title over the land in question. It is submitted that the original land owners have forged other sale deeds using the same title documents, to make a

chain thereof and using the same as genuine. Thus, on that basis, the said persons are approaching the Revenue Authorities, Registrar as well as

various Courts with false claims relying on the forged documents. Thus, they are cheating by forging the documents and committing forgery using the

forged documents, mis-representing them to be as genuine.

8. It is the case on behalf of the petitioner that he filed complaint dated 23.09.2019 and 02.01.2023 and reminders dated 08.01.2023 and 16.01.2023.

Thereafter, the petitioner submitted his representation with the SDM, Alipur, i.e., respondent No.10 dated 29.11.2022. It is submitted that there is no

response from the SDM, Alipur, i.e., respondent No.10 despite representation dated 29.11.2022 having been given by the petitioner herein. Thus, by

way of the present petition, it is prayed that directions may be given to respondent No.10 to adjudicate the representation dated 29.11.2022 filed by the

petitioner within time bound period.

9. Learned counsel appearing for the petitioner submits that the unauthorized construction is still going on in the area in question despite various

representations made in this regard.

10. Issue notice to respondents.

11. Notice is accepted by learned counsel appearing for respondents.

12. Learned counsel submits that the representation of the petitioner shall be dealt with expeditiously.

13. In that view of the matter, the present writ petition is disposed of with directions to the respondents to adjudicate upon the representation dated

29.11.2022 filed by the petitioner within a period of 6 months from today.

14. The present writ petition is disposed of in the aforesaid terms, along with pending applications.