

**IN THE COURT OF REVENUE ASSISTANT/SDM KARAWAL NAGAR**  
**D. C. OFFICE COMPLEX, NAND NAGARI, DELHI-110093.**

No. 5112

Dated 4/3/15

Case No.49/86-A/RA/KN/2002

U/s 86-A of DLR Act, 1954.

Plaintiff

Dev Dutt Sharma & ors.

Vs.

1. Mangal Sain & ors.
2. Ravinder Kumar
3. G.S. Karawal Nagar

Respondent

**ORDER**

This order shall dispose off the proceeding U/s 86-A of DLR Act, 1954.

Whereas, the proceedings in this case were initiated on the basis of application filed by Sh. Dev Dutt Sharma and others vide dated 23.7.1999 stating that defendant No. 1 and 2 are trying to grab the land bearing Khasra No. 37/18/1 min (1-12) belonging to Gaon Sabha defendant No.3. The defendants No. 1 and 2 has illegally occupied and un-authorisedly encroached the land of Gaon Sabha and built the rooms on it. The defendants No. 1 & 2 tried to change the user of the land from agricultural to commercial purpose and whereasthe Khasra/Khatooni for the year 1996-97-98 shows that the land in question is under the hold of Gaon Sabha, and

Whereas, the Block Development Officer filled an application on behalf of Gaon Sabha under order 1 rule 10, order 23 rule 1A read with section 151 of civil Procedure code read with section, praying that main dispute is among defendant No. 3 and defendant Nos. 1 & 2 and that the land in question belongs to defendant No. 3 and the defendant No. 1 & 2 has encroached and occupy the land into non agricultural purpose. The BDO pleaded that they may be allowed as applicant/defendant as a plaintiff in the said suit in the interest of justice. The application filed by the defendant No. 3 was allowed by passing an order dated 06.02.2013, and

Whereas, the BDO (North-East) moved a application for Tatima of the suit land. The Tatima report filed by Tehsildar (Karawal Nagar) vide dated 29.01.2013 was accepted vide order dated 30.3.2013, and

Whereas, an application under section 10 of CPC R/W Section 151 CPC filled by defendant No. 1 & 2 praying that proceeding of this case be dismissed and direct the Gaon Sabha to record the



*[Handwritten signature]*  
4/3/15


physical possession of the defendant No. 1 & 2 in the Revenue Records by making necessary correction on the basis of physical cultivator possession. Ld. Counsel of BDO/Gaon Sabha filed a reply of the said application stating that the defendants were not having any cultivated possession through their any forefather namely Sh. Ghasi Ram and themselves for any more than last 55 years. After gone through the written submission and arguments of both the counsels the said application under section 10 of CPC R/W Section 151 CPC was dismissed vide order dated 18.12.2014, and

Whereas, another application under section 11 of CPC and stay of proceeding from and on behalf of the defendants No. 1 & 2 filled. After hearing both the Ld. Counsel of defendants and Gaon Sabha/BDO, the said application was dismissed vide order dated 04.03.2014.

In view of the above, I am of the considered opinion that the defendants No. 1 and 2 illegally occupied and un-authorisedly encroached Gaon Sabha land on One Bigha 12 Biswa of Gaon Sabha Village Karawal Nagar bearing Khasra No. 37/18/1Min and built the rooms on it. Now I Rakesh Sharma, Revenue Assistant do hereby ordered that the defendants be ejected from the said One Bigha and 12 (twelve) Biswa of Khasra No. 37/18/1Min of Village Karawal Nagar.

Announced in the open court and given under my hand and seal of this Court on this 4<sup>th</sup> day of March, 2015.

File be consigned to record room.

  
4/3/15  
(RAKESH SHARMA)  
REVENUE ASSISTANT(Karawal Nagar)  
DISTT. NORTH-EAST

Copy for information and necessary action to:

1. Sh. Dev Dutt Sharma S/o Sh. Lohari Ram Sharma, B-452, Prem Vihar (Shiv Vihar) Gali No.6, East Karawal Nagar, Delhi-110094
2. Sh. Mangal Sain S/o Sh. Ghasi Ram R/o Village Karawal Nagar, Delhi, Defendant No.1.
3. Sh. Ravinder Kumar S/o Sh. Mangal Sain, R/o Village Karawal Nagar, Delhi Defendant No.2.
4. BDO (North-East)/Gaon Sabha Karawal Nagar.
5. Tehsildar (Karawal Nagar).
6. DIO (Distt. North-East) to upload the order on the website of Deptt.

