$~69 to 71 and 73 to 75

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

\+ W.P.(C) 125/2015, CM APPL. 34541/2022, CM APPL. 34654/2022, CM APPL. 34655/2022, CM APPL. 34656/2022, CM APPL. 34681/2022 & CM APPL. 34682/2022

GAON SABHA, KAMALPUR MAZRA ..... Petitioner
Through: Mr. Rishikesh Kumar, ASC for GNCTD with Ms. Sheenu Priya, Mr. Atik Gill, Mr. Sudhir Kumar Shukla, and Mr. Sudhir, Advocates.

versus

RAMPHAL & ANR. ..... Respondents
Through:

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\+ W.P.(C) 223/2015, CM APPL. 31046/2017, CM APPL. 33169/2018, CM APPL. 34542/2022, CM APPL. 34543/2022, CM APPL. 34650/2022 & CM APPL. 34651/2022

GAON SABHA, KAMALPUR MAZRA ..... Petitioner
Through: Mr. Rishikesh Kumar, ASC for GNCTD with Ms. Sheenu Priya, Mr. Atik Gill, Mr. Sudhir Kumar Shukla, and Mr. Sudhir, Advocates.

versus

KARTAR SINGH & ORS. ..... Respondents
Through: Mr. KVS Gupta, Mr. Harish Kumar Tyagi, Mr. Kapil Kumar, Mr. Tushar Aggarwal and Mr. Tushar Sharma, Advocates for R-1 to R-3.

71

\+ W.P.(C) 226/2015, CM APPL. 33170/2018, CM APPL. 34544/2022, CM APPL. 34643/2022, CM APPL. 34646/2022, CM APPL.

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34647/2022, CM APPL. 34709/2022 & CM APPL. 34710/2022

GAON SABHA, KAMALPUR MAZRA ..... Petitioner

Through: Mr. Rishikesh Kumar, ASC for GNCTD with Ms. Sheenu Priya, Mr. Atik Gill, Mr. Sudhir Kumar Shukla, and Mr. Sudhir, Advocates.

versus

RAMPHAL & ORS. ..... Respondents

Through: Mr. KVS Gupta, Mr. Harish Kumar Tyagi, Mr. Kapil Kumar, Mr. Tushar Aggarwal and Mr. Tushar Sharma, Advocates for R-3 to R-5.

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\+ W.P.(C) 15182/2022, CM APPL. 46976/2022 & CM APPL. 580/2023

SH. KARTAR SINGH (DECEASED) THROUGH LRS. AND ORS ..... Petitioners

Through: Mr. KVS Gupta, Mr. Harish Kumar Tyagi, Mr. Kapil Kumar, Mr. Tushar Aggarwal and Mr. Tushar Sharma, Advocates.

versus

LATE SHRI RAMPHAL (DECEASED) THROUGH LRS AND ORS ..... Respondents

Through: Mr. Kuljeet Singh, Advocate for Ms. Shobhna Takiar, Standing Counsel for DDA/R-3.

Mr. Ripin Sood and Mr. Anurag Nasiar, Advocates for Gram Sabha.

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\+ W.P.(C) 15235/2022, CM APPL. 47170/2022 & CM APPL. 582/2023

SH. KARTAR SINGH DECEASED & ORS. ..... Petitioners

Through: Mr. KVS Gupta, Mr. Harish Tyagi and Mr. Tushar Sharma, Advocates.

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versus

GRAM SABHA & ORS. ..... Respondents

Through: Mr. KVS Gupta, Mr. Harish Kumar Tyagi, Mr. Kapil Kumar, Mr. Tushar Aggarwal and Mr. Tushar Sharma, Advocates.
Mr. Ripin Sood and Mr. Anurag Nasiar, Advocates for Gram Sabha.
Mr. Kuljeet Singh, Advocate for Ms. Shobhna Takiar, Standing Counsel for DDA.

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\+ W.P.(C) 15236/2022, CM APPL. 47172/2022 & CM APPL. 581/2023

SH. KARTAR SINGH DECEASED & ORS. ..... Petitioners

Through: Mr. KVS Gupta, Mr. Harish Tyagi and Mr. Tushar Sharma, Advocates.

versus

GRAM SABHA & ORS. ..... Respondents

Through: Mr. KVS Gupta, Mr. Harish Kumar Tyagi, Mr. Kapil Kumar, Mr. Tushar Aggarwal and Mr. Tushar Sharma, Advocates.
Mr. Ripin Sood and Mr. Anurag Nasiar, Advocates for Gram Sabha.
Mr. Kuljeet Singh, Advocate for Ms. Shobhna Takiar, Standing Counsel for DDA.

CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

O R D E R

% 08.04.2024

(The proceeding has been conducted through Hybrid Mode)

1. Affidavit as directed vide order dated 13.02.2024 has been filed by

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the Gaon Sabha in W.P. (C) 15235/2022.

2. Learned counsel appearing for the Gaon Sabha submits that the said affidavit be treated as in compliance of orders for all connected writ petitions.

3. According to the contents of the affidavit, post notification, the land would vest in the Central Government in accordance with the provisions of Section 150(3) of the Delhi Land Reforms Act, 1954 and as such the land would vest in the Central Government.

4. This Court has perused the affidavit and provisions of Section 150, more particularly, Sub Section 3 of the Delhi Land Reforms Act, 1954. According to which, once the Gaon Sabha area cease to be included in rural area as defined in the Delhi Municipal Corporation Act, 1957, by virtue of a Notification under section 507(a) of that Act, the properties held by the Goan Sabha would vest in the Central Government. So far as Delhi is concerned, land owing agency for the Central Government would be DDA. A perusal of Clause (d) of Sub-Section 3 of Section 150 of the Delhi Land Reforms Act, 1954, categorically stipulates that all suits, prosecutions and other legal proceedings instituted or which might have been instituted by or against the Gaon Sabha may be constituted or instituted by or against the Union of India.

5. In the present case, at the moment, post urbanization, it would be the DDA.

6. Accordingly, in view of the above, the DDA is impleaded as party. So far as Writ Petitions bearing W.P.(C) 125/2015, W.P.(C) 223/2015 and W.P.(C) 226/2015 are concerned, the DDA would replace the Gaon Sabha as the petitioners. So far as, the Writ Petitions bearing W.P.(C) 15235/2022

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and W.P.(C) 15236/2022 are concerned, the DDA would replace Gaon Sabha as respondents. So far as, the Writ Petitions bearing W.P.(C) 15182/2022, the DDA would be impleaded freshly and shown as respondent no.3 in place of Gaon Sabha.

7. Mr. Kuljeet Singh, accepts notice on behalf of Ms. Shobhna Takiar, standing counsel for DDA. E-copy of the entire file be furnished to learned counsel appearing for the DDA by the Court Master of this Court on submitting an appropriate application in this regard. Let the same be done within two weeks.

8. List the matter on 28.08.2024.

CM APPL. 20997/2024 in W.P.(C) 15182/2022

9. In view of the fact that DDA is already impleaded, the present application is infructuous and the same is dismissed.

TUSHAR RAO GEDELA, J

APRIL 8, 2024/*ssc*

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