



GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (KANJHAWALA)
DC OFFICE COMPLEX, KANJHAWALA, DELHI-110081
(sdmkanjhawala@gmail.com)

NO. RA/SDM/K/21/ 5384

Case No.3653

Under Section 81 of DLR Act, 1954

IN THE MATTER OF:

Dated: 8/7/2024

ORDER

G.S. GHEVRA Vs UMA SARABHAI & ORS

1. By this Order, I shall dispose of the case under section 81 of Delhi Land Reform Act, 1954, which was instituted on the basis of Halka Patwari report submitted alongwith photographs, and duly verified by field kanungo and validated by Tehsildar (Kanjhawala) on 20.06.2017 which mentioned that the land bearing Khasra no.70//25 (1-10), 25 (1-10), 25 (1-9), 25 (1-9) situated in the revenue estate of Village Ghevra, Tehsil Kanjhawala, New Delhi has been converted for non-agricultural use by the respondent by way of construction of boundary wall thereby contravening the provision of section 81 of DLR Act.
2. After perusing the report filed by the Halka Patwari, restraintment order was issued on 22.06.2017 with a direction to respondent to restraint from using the land for non-agricultural purpose including any kind of construction thereon. SHO, Kanjhawala was



Sd/-

further directed to stop the unauthorized construction on agricultural land and submit report.

3. After perusing the report filed by the Halka Patwari, a conditional order was issued on 18.12.2017 directing the respondent to convert their land back to agricultural purpose within 03 months. The respondents were further directed that if they do not make the land fit for agricultural purpose within the above said period, they shall be ejected from the land and their rights on the land shall stand extinguished and the suit land shall be vested into Gram Sabha.
4. The defendants were given opportunity to appear wherein they filed Gazette Notification number F.7/79/ADLB/2016/CD-000383132/3827-3841 dated 16.05.2017 issued by Lt. Governor of the National Capital Territory of Delhi wherein village Ghevra part in zone L is urbanized. It is on record that the present proceedings were initiated in 08-02-2019, that is a period of around 20 months after the urbanization of the village.
5. In the matter Indu Khurana V/s Gram Sabha & Ors (WPC 4143/2003) the High Court of Delhi has held that once by virtue of notification issued under section 507 of Delhi Municipal Corporation Act the land is declared to be an urban land, it can no longer be classified land within the definition of land under Delhi Land Reforms Act.



Saya

6. It is on record that proceedings in the present matter were initiated on 08.02.2019, a period of around 20 months after the issuance of the gazette notification on dated 16.05.2017 urbanizing of village Ghevra.
7. In view of the abvoe, I SAUMYA SHARMA, IAS, RA/SDM (KANJHAWALA) in exercise of power conferred upon me as RA (Kanjhawala) under section 81 of the Delhi Land Reforms Act, 1954 hold that the proceedings under section 81 of DLR Act in r/o land bearing kh.no.70//25 situated in the revenue estate of Village Ghevra, Delhi are hereby dropped and the case is dismissed.
8. However, as illegal use of the land has taken place, executive engineer (Building), North Delhi Municipal Corporation, Narela zone is directed to take action as per applicable building bye laws and DMC Act, 1957.

Tehsildar (Kanjhawala), concerned Kanungo and Patwari are directed to update the land record accordingly.

File to be consigned to record room.

Given under my hand and Seal of this court on this 08 day of July, 2021

Saumya
08/07/2021
(SAUMYA SHARMA), IAS
REVENUE ASSISTANT /
SDM (KANJHAWALA)



Copy To:-

1. PS to DC (NW) for information please
2. PS to DC (North DMC), Narela zone, Delhi
3. Ex. Engineer, Narela zone for compliance
4. Tehsildar (Kanjhawala) for information and updating the revenue records.

5. Assistant Programmer (IT), O/o Deputy commissioner (NW) upload it on the official website
6. Concerned Patwari/ Kanungo
7. Smt. Uma Sarabhai W/o Sh. Dharmender Narayan Sarabhai R/o D-27, Plot No.4-C, Vikas Puri, Delhi
8. Sh. Dinesh Kumar Aggarwal S/o Sh. Seeta Ram Aggarwal R/o C-122, Mansarovar Garden, Delhi
9. Sh. Vinod Kumar Bansal S/o Sh. G.P. Bansal R/o D-112, Dhruv Apartment, Sector-13, Rohini, Delhi
10. Sh. Vinod Gupta S/o Sh. Hanuman Prasad R/o C-122, Mansarovar Garden, New Delhi

Sanya 28/07/2011
(SAUMYA SHARMA), IAS
REVENUE ASSISTANT /
SDM (KANJHAWALA)

