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**THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH NEW
DELHI**

**MEMORANDUM OF APPLICATION
(UNDER SECTION 18(1) READ WITH SECTION 14, 15 & 17 OF THE
NATIONAL GREEN TRIBUNAL ACT, 2010)**

ORIGINAL APPLICATION NO. 153 OF 2025

BETWEEN:

SUMITRA SAINI & ANR.

...APPLICANTS

VERSUS

DELHI DEVELOPMENT AUTHORITY & ORS. ...RESPONDENTS

I N D E X

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Sandeeep
Sun

Original APPLICANTS

THROUGH:-

JusticeCrafts Attorneys & Consultants LLP

Yash Vardhan Kaushik

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Mob:9990226669

justicecraftattorneys@gmail.com

DATE:11.11.2025
PLACE: NEW DELHI

386

**THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH NEW
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...APPLICANTS

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DELHI DEVELOPMENT AUTHORITY & ORS.

...RESPONDENTS

**REPLY ON BEHALF OF THE APPLICANTS TO THE APPLICATION
FOR IMPLEADMENT FILED BY THE APPLICANT VIKAS SAINI &
ORS.**

MOST RESPECTFULLY SHOWETH :-

1. That at the outset present application is liable to be rejected as the applicants have no locus standi to file and maintain the same as they are neither the necessary nor proper parties to the present proceeding.
2. That the application filed by applicants Vikas Saini, Panna Lal Saini and Ashwani Saini, who are the encroachers of the waterbody' land. They have no honour of the Court's order, therefore, they are raising construction over the waterbody despite the status quo order passed by the Hon'ble High Court in WPC-11400/2022 filed by the Applicant Panna Lal Saini & Ors.
3. That it is pertinent to mention here that the applicants Panna Lal challenged the demarcation Notice dated 10.06.2022 in WPC-11400/2022, thereby fixed a date 13.06.2022 for survey the waterbody land, as the same notice was challenged in the last week of July, 2022, when the survey has already been conducted on date fixed i.e. on.13.06.2022, which the date mentioned in the notice dated 10.06.2022

by concealing the knowledge of the survey, because the son of applicant Panna Lal participated the survey conducted on 13.06.2022.

4. It is pertinent to mention here that the Survey /demarcation report and MAP were finalised on 08.07.2022, and when they came to know that the said encroached property of waterbody specifically showing in the survey map as part of waterbody, wherein, they recently raised unauthorised construction. Thereafter, the applicants Panna Lal & Ors. approached the Hon'ble High Court in WPC-11400/2022 and succeeded to mislead the Hon'ble High Court by concealing the fact of survey conducted on 13.06.2022 and report and Map finalised on 08.07.2022 and Hon'ble High Court grant status quo order. Despite the status quo order, they raised unauthorised construction upon the waterbody land. It is necessary to bring to the knowledge of this Hon'ble Tribunal that the said final Demarcation Report and Map dated 08.07.2025 has not been challenged before any forum from any of the parties and has become final.
5. That the original Applicants have filed the present Petition for revival of the Waterbody Khasra No.20 land measuring 7-17, situated in village Khirki, South Delhi.
6. That the applicants in IA No.554/2025 are the encroachers of the Land of the waterbody Khasra No.20, situated in village Khirki, South Delhi. It is pertinent to mention here that The applicants Vikas Saini and his accompanying have approached the Ld. tribunal with malafide intention. The Applicants wanted to mislead the Ld. Tribunal. Because, the original Applicants have come to the Tribunal for revival of the waterbody and to clean the waterbody by illegal parking and dumping yards.
7. That vide final order dated 07-08-2019 passed in WPC-9372/2015 filed by the Original Applicants, the Hon'ble High Court has directed the Govt to revive the waterbody:-

“4. In view of the above, no further orders are required to be passed in this petition except to direct that once the land has been demarcated, all efforts would be made by the Respondents to remove the encroachment on the said land and ensure that all steps are taken to revive the said water body”.

8. That the land was demarcated on 13.06.2022 and demarcation report and map were finalised on 08.07.2022, but no efforts were made by the government/ DDA or other department for revival of waterbody Khasra no.20, Village Khirki and the Original Applicants have no other option but to approach the Hon’ble Tribunal for revival of the waterbody.
9. That it is pertinent to mention here that the Applicants have already given their right, what ever right they have in the waterbody Khasra no.20, Village Khirki, Delhi by filing an affidavit in Writ Petition No.9372/2015 (Sumitra Saini & Anr. Vs. Govt. of NCT of Delhi & Ors.). Therefore, the Original Applicants have no personal interest in the land of Waterbody but have bonafide intention for revival of waterbody, and they are pursuing the same remedy above a decade.
10. That the applicants Vikas Saini have malafide intention, thats why they approached this Tribunal by filing an application and wanted to be impleaded as parties to the Present Petition, when the Original Applicants have not made any prayer against them nor made them as parties to the present Original Application because the original applicants not here to decide the title of anybody but the original applicants have filed the present petition for revival of water body Khasra no.20, village Khirki, Delhi.
11. That when the Applicants Panna Lal & Ors raised construction over the waterbody despite the status quo order dated 01.08.2022 passed by the Hon’ble High Court in WPC-11400/2022, the son/brother of the Original

Applicants approached the hon'ble High Court by filing the WPC-3538/2025, wherein, notice was issued and status report was filed by the SHO Malviya Nagar, specifically states that upon enquiry, it is found that presently, the property bearing No.R-58/R-52, Khirki Extension, Malviya Nagar, New Delhi has been constructed upto the ground floor, first floor and second floor (phot enclosed). They further states that "The municipal Corporation of Delhi (MCD), upon receiving complaints has taken sealing action on property No.R-58/ R-52, Khirki Extension, and same has been sealed due to unauthorised construction activity. True copy of the Status report filed by the SHO Malviya Nagar, Delhi is enclosed herewith as **Annexure A-1.**

12. That vide order dated 21.03.2025, passed in WPC-3538/2025, the Hon'ble High Court of Delhi impleaded the SDM, Hauz Khas as Respondent No.4 in the Writ Petition and directed the Respondent No.4 SDM to file the status report clearly indicates the area of waterbody existing in Khasra No.20, Village Khirki, Malviya Nagar, New Delhi-110017, which clearly demarcated boundaries, and extent of construction that has been carried out over the said waterbody.
13. That in response to the said order, SDM Hauz khas filed a status report, which indicates the waterbody having land 7 Bighas 17 biswa and class of land is mentioned as Gair Mumkin Johad. The status report further states about vacant land is being used in illegal parking, newly constructed buildings etc. True copy of the status report filed by the SDM in WPC-3538/2025 is annexed herewith as **Annexure A-2.**
14. That vide letter dated 21.08.2025 sent by the MCD to DY. Commissioner of Police to lodged FIR against the applicants Vivek Saini and his accompanied. True copy of the extract of the letter dated 21.08.2025 is enclosed herewith as **Annexure A-3.**

15. That the applicants/ interveners have deliberately and intentionally to prejudice the mind of this Hon'ble Tribunal have made totally false allegations which have not been substantiated neither they are otherwise sustainable.
16. That the Original Applicants has come before the Hon'ble Tribunal for revival of waterbody existing in Khasra No.20, Village Khirki, which has been directed by the Hon'ble High Court in final order in WPC-9372/2015 filed by the Original Applicants. It is further stated that the question of impleadment of a party has to be decided on the touch stone of order 1 Rule 10 CPC which provides that only a necessary and proper party may be added. However, the Original Applicants approached the Hon'ble Tribunal against the Govt. entities who are not performing their duties for revival of water body existing in Khasra No.20, when the same was ordered by the Hon'ble high Court in WPC-9372/2015.
17. That in the facts and circumstances of the present case, the Applicants /interveners cannot , by any stretch of imagination be said to be either necessary and proper parties to the suit. They cannot revive the water body as all the relief claimed against the parties already made in the present case.
18. It is pertinent to mention here that these peoples showing themselves like they wanted to revive the waterbody but on the contrary, they are occupying the waterbody in the garb of litigation. Which proved from their conduct, when they raised illegal construction over the waterbody despite the status order.
19. The Original Applicants states that false and frivolous allegation have been made by the Applicants in the application and it is the Original Applicants who have been litigating for many years to remove all those

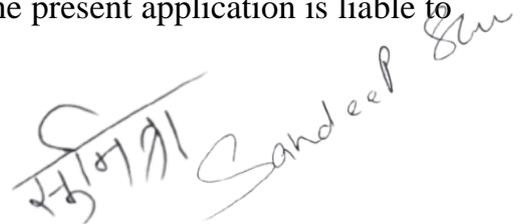
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people who have been illegally encroached upon the land of Waterbody existing in Khasra No.20, village Khirki and the Original Applicants wants this land to be free from encroachers so that the same can be used for public benefits.

20. That the contents of the application are false and are based upon the manipulated story and it is not required to answer it parawise, hence the facts mentioned in the application are denied as wrong and no need to answer it parawise.
21. That it is reiterated that the present application is actuated with malafide and therefore, laible to be rejected at the threshold itself.

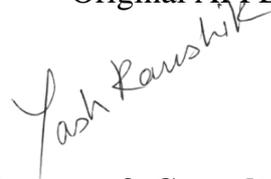
The prayer clause of the application is wrong and denied and it sis submitted that no relief can be granted to the application/intervenors as the present application is in fact an indirect to linger on the process of revival of waterbody, which is not permissible as clearly shows their intention to stop the process of revival of waterbody existing in Khasra No.20, Village Khirki, Delhi, therefore, the present application is liable to be dismissed with exemplary costs.

It is prayed accordingly.

 Sandeep Kumar

Original APPLICANTS

THROUGH:-

 Yash Kaushik

JusticeCrafts Attorneys & Consultants LLP

Yash Vardhan Kaushik

W6-C, Tiger Lane, Sainik Farm, New Delhi

Mob:9990226669

justicecraftattorneys@gmail.com

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PLACE: NEW DELHI

THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH NEW DELHI
MEMORANDUM OF APPLICATION
(UNDER SECTION 18(1) READ WITH SECTION 14, 15 & 17 OF THE NATIONAL GREEN TRIBUNAL ACT, 2010)

ORIGINAL APPLICATION NO. 153 OF 2025

BETWEEN:

SUMITRA SAINI & ANR.

...APPLICANTS

VERSUS

DELHI DEVELOPMENT AUTHORITY & ORS. ...RESPONDENTS

AFFIDAVIT

I, Sumitra Saini , AGED 71 YRS, W/O Jai Singh Saini R/O H.No. 159, Village Khirki, New Delhi do hereby solemnly affirm and declare as under:

1. I am Applicant No.1 in the aforesaid suit and as such conversant with the facts of the case and competent to swear this affidavit.

2. That the accompanying Reply has been drafted by my counsel under my instruction and the contents of the same are read over to me which are true and correct and be read as part and parcel of this affidavit and are not repeated herein for the sake of brevity.



Identified the Deponent has signed in my presence
9/5957/2022

13 NOV 2025

Sumitra

DEPONENT

VERIFICATION:

Verified at New Delhi on this _____ day of _____, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

THE DEPONENT
Sumitra Saini
Jai Singh
159 Vill - Khirki ND
Yesh Koshik / Shakti Mittal
13 NOV 2025

Sumitra
DEPONENT

THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH NEW DELHI
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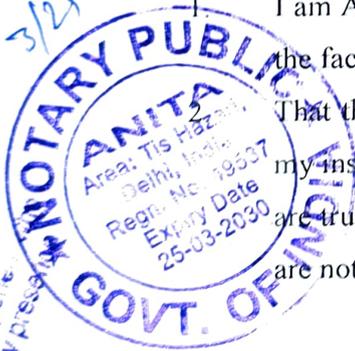
ORIGINAL APPLICATION NO. 153 OF 2025

BETWEEN:
SUMITRA SAINI & ANR. ...APPLICANTS
VERSUS
DELHI DEVELOPMENT AUTHORITY & ORS. ...RESPONDENTS

AFFIDAVIT

I, Sandeep Saini, Aged 50 YRS, S/o Jai Singh Saini R/o H.No. 159, Village Khirki, New Delhi do hereby solemnly affirm and declare as under:

I am Applicant No.1 in the aforesaid suit and as such conversant with the facts of the case and competent to swear this affidavit.
That the accompanying Reply has been drafted by my counsel under my instruction and the contents of the same are read over to me which are true and correct and be read as part and parcel of this affidavit and are not repeated herein for the sake of brevity.



3/25
I identified the Deponent has signed in my presence
25/5/2022

Sandeep Saini
DEPONENT

VERIFICATION: *11 '3 NOV 2025*
Verified at New Delhi on this _____ day of _____, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

CERTIFIED THAT THE DEPONENT
Sh/Smt. *Sandeep Saini*
S/o, W/o, D/o *Jai Singh*
R/o *H.No. 159 Vill - Khirki, D.D.*
Identified by *yesh karnigh/slok mittal (adv)*
has signed the affidavit in my presence
On _____ that the contents of the affidavit have been read over to the deponent and he is conversant with the contents of the same and nothing material has been concealed therefrom.

11 '3 NOV 2025

Sandeep Saini
DEPONENT

ANNEXURE-1

IN THE HIGH COURT OF DELHI AT NEW DELHIW.P. (C) No. 3538/2025In the matter of:-

Sanjeev Saini

.... (Petitioners)

Versus

Municipal Corporation of Delhi & Ors.

...(Respondents)

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THROUGH

DATE: 06.10.2025



(NEHA RASTOGI)
CENTRAL GOVT. SR. PANEL COUNSEL

2/6 B, JANGPURA - A, NEW DELHI, 110014

Mob. No. +91 9958655503

Email: neharastogi.legalcare@gmail.com

IN THE HIGH COURT OF DELHI AT NEW DELHI**W.P. (C) No. 3538/2025****In the matter of:-****Sanjeev Saini****.... (Petitioners)****Versus****Municipal Corporation of Delhi & Ors.****...(Respondents)****STATUS REPORT****MOST RESPECTFULLY SHOWETH:**

1. The present writ petition has been filed by Sanjeev Saini, a resident of Khirki Village, Malviya Nagar, New Delhi, seeking urgent intervention regarding ongoing illegal and unauthorized construction over public land, specifically the Jhod Water Body in Khasra No. 20, Village Khirki, Malviya Nagar, New Delhi-110017.
2. Despite multiple representations and complaints of petitioner, made to the Municipal Corporation of Delhi (MCD), Delhi Development Authority (DDA), and local police, no meaningful action has been taken to address the continued illegal encroachment and erection of structures over the water body.
3. The illegal construction is reportedly being carried out by Amar Singh Saini and Vikas Saini at property R-58/R-52, Khirki Extension, encroaching on the water body in violation of building bye-laws and without sanctioned plans and the illegal structure has reportedly reached up to three floors.
4. Upon enquiry, it is found that presently, the property bearing No. R-58/R-52, Khirki Extension, Malviya Nagar, New Delhi has been constructed up to the ground floor, first floor, and second floor. (phot enclosed)

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5. The Municipal Corporation of Delhi (MCD), upon receiving complaints, has taken sealing action on property No. R-58/R-52, Khirki Extension and same has been sealed due to unauthorized construction activity.

However, undersigned is bound to abide by all the directions/orders passed by the Hon'ble High court.


C ANSHU VINAY YADAV
SHO/Malviya Nagar
SHO
Malviya Nagar
New Delhi-110017

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ANNEXURE-2400

IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P (C) NO. 3538 OF 2025

IN THE MATTER OF-

SANJEEV SAINI

...PETITIONER

VERSUS

MCD & ORS.

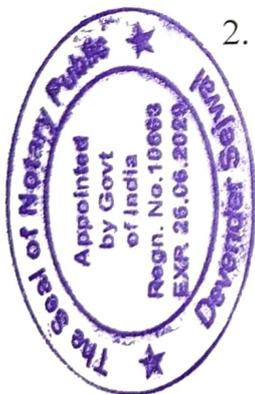
...RESPONDENTS

N.D.O.H.16/04/2025

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO.4.

I, Dr. Mukesh Kumar, S/o Indraj Singh, aged about 40 years as the SDM, Hauz Khas, office at M.B. Road, Saket, New Delhi, do hereby solemnly affirm and declare as under:

1. That the deponent is working as SDM, Hauz Khas, under the Government of NCT of Delhi, which is arrayed as Respondent no.4 and as such, the deponent in his official capacity, competent to swear the present affidavit being fully conversant with the facts of the present case on the basis of information derived from the official records maintained in the regular course.
2. That this Hon'ble Court vide order dated 21.03.2025 has directed the Respondent no.4 to file status qua the area of the water body existing in *Khasra No.20, Village Khirki, Malviya Nagar, New Delhi*, with clear demarcated boundaries and the extent of unauthorized construction that has been carried out or existing over the said water body.
3. That as per Khasra girdawari, the total area of land in Khasra No.20, Village Khirki, is 07 bigha 17 biswa and class of land is mentioned as

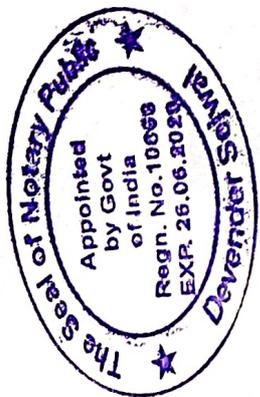


[Handwritten Signature]

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Gair mumkin Johad. The copy of Khasra Girdwari for the year 2013-16 along with true English translation is enclosed herewith as **Annexure-R-1.**

4. That the deponent along with the Revenue officials inspected the spot i.e. Khasra No.20, Village Khirki, New Delhi, on 03.04.2025. During inspection it is observed that at the spot *a vacant land exists which is being used by the local residents for parking cars/vehicles. This land is an open land and no boundary wall exists thereon and this vacant land is surrounded by built up houses, temple etc. There is a newly constructed building adjacent to this vacant land having no address/number plate displayed on it, which was being shown to the deponent by the petitioner. The extent of construction, which has been allegedly carried out at the water body cannot be ascertained without proper demarcation of Khasra No.20. The photographs taken at the site showing the construction are enclosed as Annexure-R-2(Colly).*
5. That it is respectfully submitted that the demarcations of Khasra No.20, Village Khirki, New Delhi, had been carried out by the authorities earlier and even the demarcation was also carried out recently in the year 2022, which was challenged before Hon'ble High Court of Delhi in **WP(C) 11400/2022 in Panna Lal Saini & Ors. Vs. Divisional Commissioner (Revenue) & Anrs** by seeking *direction in the nature of Certiorari thereby setting aside/quashing the notice dated 10.06.2022, as well as all subsequent proceedings carried out pursuant to the aforesaid notice, seeking direction to carry out fresh demarcation of Khasra No.20, situated in Village Khirki, New Delhi.* "However, the fact is that the issue with respect to previous demarcation reports has already Sub-judice before court of law and any attempt to carry out fresh demarcation is an abuse of power by the respondents as well as an attempt to override or clash with the orders



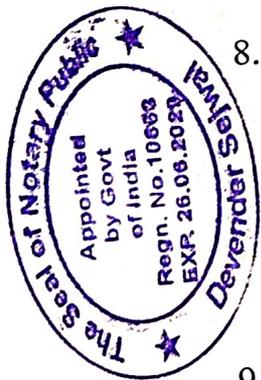
passed by this Hon'ble Court as well by the lower courts of law and same is violation of the rule of law."

6. That this Hon'ble High Court in the above said petition WP(C) 11400/2022 vide order dated 01.08.2022 directed to the parties to maintain *status quo* with respect to the property in question till next date of hearing and order of status quo was extended or continued by this Hon'ble Court from time to time. The said matter is still pending for disposal and is now fixed for 20.05.2025. The Copy of order dated 01.08.2022 passed by this Hon'ble Court in the said petition is enclosed herewith as **Annexure-R-3**.

7. That as per Section 2(52) of the Delhi Municipal Corporation Act, 1957 defines the term 'rural areas' and states that the area of Delhi which immediately before the establishment of a Corporation, falls within the local limits of the District Board of Delhi, be considered to be the rural area, but that shall not include such portion thereof, which by virtue of notification under Section 507 declared to be urbanized and it ceases to be included under the term 'rural areas' and Section 2(61) defines 'urban areas' as the areas of Delhi which are not rural areas.

8. That Section 507 (a) of the Delhi Municipal Corporation Act, 1957 empowers the Corporation by way of a notification (with the previous approval of the Government) to declare that any part of the rural areas shall cease to be a rural area and upon issuance of the notification the areas shall form part of the urban areas.

9. That it is respectfully submitted that in exercise of powers conferred by clause (a) of Section 507 of the Delhi Municipal Corporation Act, 1957, the Corporation had declared Khirki Village as urbanized. Hence, the provisions of Land Reforms Act and the provisions of



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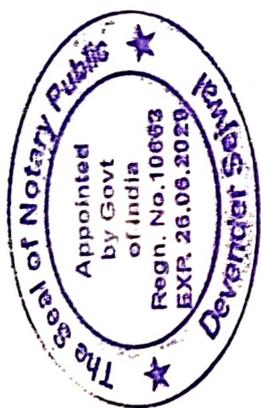
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Land Revenue Act 1954 ceased to apply over the urbanized area from the date of notification.

10. That by virtue of the aforesaid notification, the revenue authority does not have any jurisdiction to carry out demarcation in accordance with the provisions of Delhi Land Revenue Act 1954, which had ceased to apply qua the land of urbanized Village of Khirki from the date of said notification.
11. That Hon'ble Supreme Court in "*Mohinder Singh (Dead) Through Lrs. & Anr. V. Narain Singh & Others, Civil Appeal No. 3828 of 2017*" held vide land mark judgement dated 14.03.2023 that once a notification has been published in exercise of power under Section 507(a) of the Delhi Municipal Corporation Act, 1957, the provisions of the Act, 1954 cease to apply. In sequel thereto, the proceedings pending under the Act, 1954 become non est and loses its legal significance. The relevant portion of the said judgment is reproduced herein below:-

"36. After harmonizing the provisions of the Act, 1954 and Act 1957, we are of the considered view that once a notification has been published in exercise of power under Section 507(a) of the Act, 1957, the provisions of the Act, 1954 cease to apply. In sequel thereto, the proceedings pending under the Act, 1954 become non est and loses its legal significance."

12. That this Hon'ble Delhi High Court in its Judgment in the matter of "*Kamaljeet Bajwa & Ors. v. Government of NCT of Delhi & Ors., LPA 609/2022*" adopted the aforesaid reasoning and has prohibited the demarcation of village land, which has already been urbanised by virtue of operation of aforesaid Notification. The relevant portion of the said judgment is reproduced herein below:-



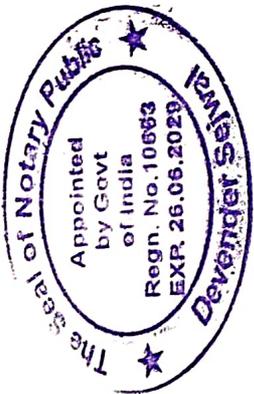
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“45. The other important aspect of the case is whether the land in question is an urbanized land as village Kharera, New Delhi had already been notified for urbanization in the year 1966. The notification issued in the year 1966 reads as under:

46. In light of the aforesaid notification, the authorities under the Delhi Land Reforms Act or Delhi Land Revenue Act do not have jurisdiction in respect of the Village Kharera to order for any demarcation.

47. In the considered opinion of this Court, as the land was urbanized, the Land Reforms Act or the Land Revenue Act were not at all applicable, no such demarcation application could have been preferred before the revenue authorities.”

13. That it is submitted that in the urbanized area, the Delhi Development Authority is the only competent authority to conduct the said demarcation process, if the same is required or warranted. That, since the revenue department is only custodian of the records and any kind of assistance or record is required for the purpose of demarcation or identification of land, then the same shall be provided by this office to the concerned departments/govt. agencies or to the concerned parties.
14. That however, the deponent on behalf of respondent no.4 respectfully submits that he shall comply with the requisite directions or order as passed by this Hon'ble Court.
15. That the above said reply/statement is made on the basis of record available with this office and same is true and correct to the best of knowledge of the deponent.



Deponent

VERIFICATION :-

Verified on this 09/04/25 day of April 2025, that the contents of the above said affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed there-from.

ATTESTED

NOTARY PUBLIC
 - 9 APR 2025



Deponent

Page | 5

English translation of Khasra Girdawari of Khasra No.20, Village Khirki
for the year 2013-16

Khasra No.	Owner with Short and Jamabandi No.	Cultivator with rent written short with Khatauni No.	Area	Class of land according to last Jamabandi
20	Shamlat Deh Mundraja Khewat No.145	Makbuja Malkan and Mustadan (7-5) Makbuja Bhagwan Sahay bagera hissedaran (0-12)	7-17	Gair Mumkin Johad

[Handwritten Signature]
9/11/25

1000 को छोड़ कर

खाना शिराफ़ी
Khaana Girawari

ग्राम
Village (खिंदवाड़ा)

नगरीय
Total (हजूरगढ़)

जयपुर जिले
District Dohri (2)

फॉर्म नं० 11
Form No. 11 (10)

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संक्रमांक Sl. No.	संक्रमांक Sl. No.	संक्रमांक Sl. No.	संक्रमांक Sl. No.	20-Kharif and 20 Rabi		20-Kharif and 20 Rabi		20-Kharif and 20 Rabi		20-Kharif and 20 Rabi						
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
17	नत्सू सिंह कोरा मुन्दुजा खेत नं० 141	बालू लाल पुत्र फतेह सिंह (1/2 भाग) सोम सिंह पुत्र कामरे (1/2 भाग)	1-5	श्री. सु. आवादी	श्री. सु. आवादी	1-5	X	श्री. सु. आवादी	श्री. सु. आवादी	1-5	X	श्री. सु. आवादी	श्री. सु. आवादी	1-5	X	
18	शही मुद्दीम मुन्दुजा खेत नं० 111	अकलुजा शालकामा लाधिर गामा देह	2-0	श्री. सु. गकामा न शहिर	श्री. सु. गकामा न शहिर	2-0	X	श्री. सु. गकामा न शहिर	श्री. सु. गकामा न शहिर	2-0	X	श्री. सु. गकामा न शहिर	श्री. सु. गकामा न शहिर	2-0	X	
19	नत्सू कोरा मुन्दुजा खेत नं० 107	अकलुजा शालकामा	2-6	श्री. सु. अकलुजा न शहिर	श्री. सु. अकलुजा न शहिर	2-6	X	श्री. सु. अकलुजा न शहिर	श्री. सु. अकलुजा न शहिर	2-6	X	श्री. सु. अकलुजा न शहिर	श्री. सु. अकलुजा न शहिर	2-6	X	
20	शमलदा देह मुन्दुजा खेत नं० 145	अकलुजा शालकामा व मुमतदान (7-5) अकलुजा उपखान साहाम कोरा शिरसेदारम (1-2)	7-17	श्री. सु. जोहड़	श्री. सु. जोहड़	7-17	X	श्री. सु. जोहड़	श्री. सु. जोहड़	7-17	X	श्री. सु. जोहड़	श्री. सु. जोहड़	7-17	X	
21	नत्सू सिंह कोरा मुन्दुजा खेत नं० 118	नत्सू शिरोकरी सिंह शिरसेदारम समभाग	1-3	श्री. सु. आवादी	श्री. सु. आवादी	1-3	X	श्री. सु. आवादी	श्री. सु. आवादी	1-3	X	श्री. सु. आवादी	श्री. सु. आवादी	1-3	X	
22	उपरोक्त	जमनाराधण जयकिशन जगदीश प्रसाद बालकिशन पुत्रगण सुतर समभाग	1-3	श्री. सु. आवादी	श्री. सु. आवादी	1-3	X	श्री. सु. आवादी	श्री. सु. आवादी	1-3	X	श्री. सु. आवादी	श्री. सु. आवादी	1-3	X	

जयपुर जिले
खाना शिराफ़ी
कामरे को छोड़ कर
नत्सू कोरा
मुन्दुजा खेत
नं० 145
नत्सू सिंह
कोरा मुन्दुजा
खेत नं० 118
उपरोक्त

407

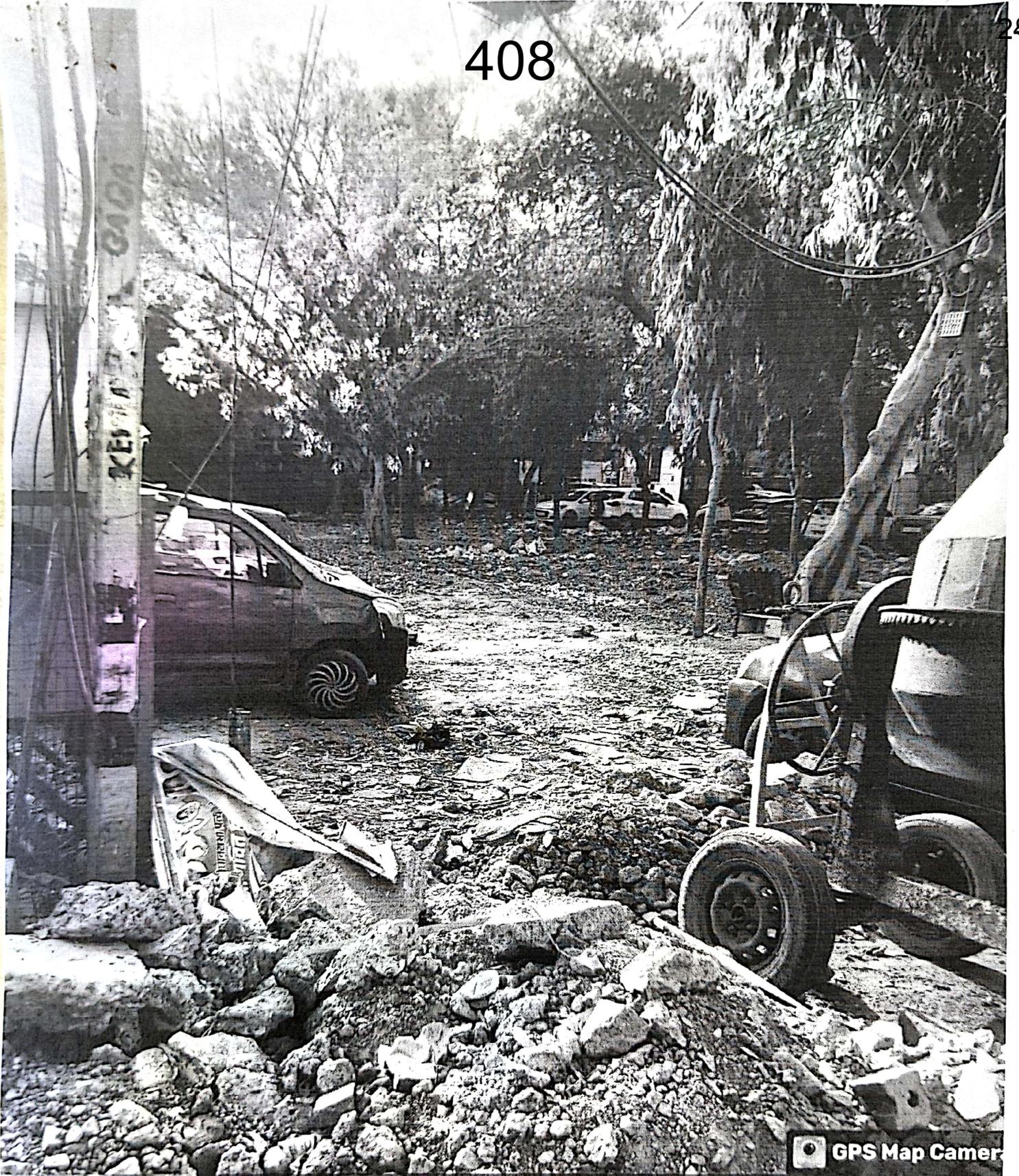
Inspection Report

An inspection of the premises at Khasra No.20 (Johad Land), Village Khirki, New Delhi, was carried out on 03.04.2025 under the supervision of SDM(Hauz Khas). During inspection it is observed that at the spot a vacant land exists which is being used by the local residents for parking cars/vehicles. This land is an open land and no boundary wall exists at this land and this vacant land is surrounded by built up houses, temple etc.. There is a newly constructed building was shown by the petitioner adjacent to this vacant land having no address/number plate displayed on it. After thorough inspection and survey, it is observed that the extent of construction/encroachment that has been allegedly carried out at the water body cannot be ascertained without proper demarcation of Khasra No.20. (photographs taken at the site are enclosed).


Halqa Patwari
Tehsildar (Hauz Khas)
SDM(Hauz Khas)

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GPS Map Camera

New Delhi, Delhi, India
166, Khirki Extension, Malviya Nagar, New Delhi,
Delhi 110017, India
Lat 28.531711° Long 77.218447°
03/04/2025 05:05 PM GMT +05:30

Google

409



GPS Map Camera

New Delhi, Delhi, India

166, Khirki Extension, Malviya Nagar, New Delhi, Delhi 110017, India

Lat 28.531708° Long 77.218451°

03/04/2025 05:05 PM GMT +05:30



410



GPS Map Camera

New Delhi, Delhi, India
 166, Khirki Extension, Malviya Nagar, New Delhi,
 Delhi 110017, India
 Lat 28.531713° Long 77.218339°
 03/04/2025 05:06 PM GMT +05:30



Google



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

+ W.P.(C) 11400/2022

PANNA LAL SAINI & ORS

..... Petitioner

Through: Mr. Rajiv Kumar Ghawana and
Mr. Neelaksh Sharma, Advocates

versus

DIVISIONAL COMMISSIONER (REVENUE) AND ANR

..... Respondent

Through: Mr. Rishikesh Kumar, ASC(GNCTD)
with Ms. Sheenu Priya and Mr.
Muhammad Zaid, Advocates

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

%

01.08.2022

CM APPL. 33553/2022

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(C) 11400/2022 & CM APPL. 33552/2022 (Stay)

1. The instant writ petition under Article 226 of the Constitution of India has been filed on behalf of the petitioners seeking following relief:-

“a) Issue a writ, order or direction in the nature of Certiorari thereby setting aside /quashing the notice dated 10.06.2022, as well as all subsequent proceedings carried out pursuant to the aforesaid notice, seeking to carry out fresh demarcation of Khasra No. 20 situated in Village Khirki, New Delhi despite the fact that the issue in relation to



earlier demarcations was already Sub- Judge before court of law and any attempt to carry out fresh demarcation is abuse of power by the respondents as well as an attempt to overreach the orders passed by the courts as well as to lower the majesty of the court of law and violative of rule of law;...”

2. Heard.
3. Mr. Rishikesh Kumar, learned ASC appears on advance notice on behalf of respondents and seeks time to file the counter affidavit. Let the same be filed within four weeks.
4. List on 17th October 2022.
5. The parties are directed to maintain status quo with respect to the property in question till the next date of hearing.

CHANDRA DHARI SINGH, J

AUGUST 1, 2022

Aj/Ms

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MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE DEPUTY COMMISSIONER
SOUTH ZONE
GREEN PARK: NEW DELHI

NO.D/ 900 /DC/BLDG-I/SZ/2025DATED: 21/8/25

The Deputy Commissioner of Police
South District
Hauz Khas
New Delhi

Subject: For lodging FIR under Section 448/188 of IPC read with Section 461 of DMC Act against the owner / builder of P.No. R-58, Khirki Extension, New Delhi- Trespassing into property sealed by the M.C.D.

Sir,

It has been reported that as per record, the above property was booked by the Department on the ground of unauthorized construction for action under Section 343/344 of the DMC Act-1957 vide File No. 27/UC/B-I/SZ/2025 dated 11.02.2025. Sealing proceedings under Section 345-A of the DMC Act were also initiated and after following due process of law, sealing action against property was taken on 09.04.2025.

Recently, field staff concerned noticed during the course of demolition / sealing action on 01.08.2025 that the owner / occupier / their representative entered into the sealed property from rear side, without breaking the seals affixed by the Department, which amounts to trespassing into sealed property, as reported. Thus, taking cognizance of the same, newly opened / additional entry in the rear side has been re-sealed on the same day i.e.01.08.2025.

It is, therefore, requested to direct the SHO-Police Station concerned to book the culprit(s) and take necessary action at the earliest against the owner (s) / builder (s) / offender(s) under Section 448/188 of the IPC and 461 of the DMC Act-1957 for committing the offence of trespassing into property sealed by the Department.

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