

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, AT NEW DELHI
ORIGINAL APPLICATION NO. 535/2024

IN THE MATTER OF:

CORRUPTION REMOVAL SOCIETY

APPLICANT

VERSUS

DEPARTMENT OF FOREST WILD LIFE

GOVT. OF NCTD & ORS.

RESPONDENT(S)

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Filed by:

Jyoti Mendiratta
Counsel for the GNCTD

Date: 25.07.2026

Place: Delhi

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AT NEW DELHI**

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RESPONDENT(S)

**STATUS REPORT ON BEHALF OF RESPONDENT NO. 1 AND 2 IN
COMPLIANCE OF ORDER DATED 10.04.2026**

1. That the present status report is being filed to apprise this Hon'ble Tribunal of the current status and the steps taken by the Forest Settlement Officer/ADM.
2. It is submitted that pursuant to the order dated 10.04.2026 passed by this Hon'ble Tribunal produced herein:-

"7. The concerned authority of the GNCTD is directed to file the status report atleast one week before the next date of hearing disclosing the outcome of the pending proceedings before the Forest Settlement Officer."

3. That the Forest Settlement Officer/ ADM, Revenue Department, District South has dismissed all the pending matters related to Khasra No. 209 Saidulajaib. The relevant portion of the order dated 04.05.2026 is read as follows:

“7 (d). The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly the application is dismissed.”

4. That the details of the cases, including their respective numbers and titles, which have been dismissed by the Forest Settlement Officer are mentioned herein below:-

S. No.	Case No.	Title
1.	Case No. 17/2025	Virmati Vs Deputy Conservator of Forest (South)
2.	Case No. 16/2025	Vinesh Lata Vs Deputy Conservator of Forest (South)
3.	Case No. 11/2025	Veena Rani & 5 Ors. Vs Deputy Conservator of Forest (South)
4.	Case No. 18/2025	Sahiba Nazavi & Ors. Vs Deputy Conservator of Forest (South)
5.	Case No. 15/2025	Rachna Bhardwaj & Ors. Vs Deputy Conservator of Forest (South)
6.	Case No. 22/2025	Ms. Premwati & Ors. Vs Deputy Conservator of Forest (South)
7.	Case No. 10/2025	Prabha Sharma Vs Deputy Conservator of Forest (South)
8.	Case No. 23/2025	Nellie Dev Vs Deputy Conservator of Forest (South)
9.	Case No. 21/2025	Meenakshi KapoorDev Vs DeputyConservator of

		of Forest (South)
10.	Case No. 12/2025	Kalpna Gulati &Ors. Vs Deputy Conservator of Forest (South)
11.	Case No. 27/2025	DC Garg & Anuj Garg Vs Deputy Conservator of Forest (South)
12.	Case No. 13/2025	BC Sarkar &Ors. Vs Deputy Conservator of Forest (South)
13.	Case No. 20/2025	Ambujaksh Bhardwaj Vs Deputy Conservator of Forest (South)

The Orders related to Khasra no. 209 Saidulajab passed by the Forest Settlement Officer/ADM, South are attached herewith as **Annexure- A**.

5. That the Answering Respondent is duty-bound to comply with the directions of this Hon'ble Tribunal, and has the deepest regards and respect for any mandate put forth by this Hon'ble Tribunal.


Answering Respondent
Deputy Conservator of Forest (South)



ANNEXURE-A

IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068

F. No. Reader/ADM(S)/Forest Matter/2026/447-48 Dated: - 07/05/2026

Case No.	17/2025
Petitioner/Applicant	Virmati
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No.	206 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicant Ms. Virmati W/o Sh. Om Prakash, R/o D-43, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 in respect of land bearing Khasra No.206 & 209 of Village Saidulajaib, New Delhi.

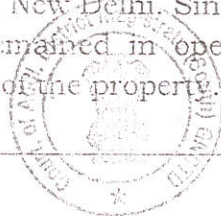
2. **The following are the prayers/reliefs sought by the petitioner:**

- To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;
- Pass the order for fresh physical demarcation of Khasra no. 209 and 206 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. **The submissions / contentions of the petitioner / applicant are as follows:**

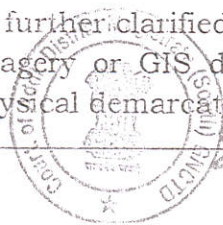
- That the Petitioner / Applicant is the absolute owner and occupant of the double-storey residential house bearing no. D-43 in Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Her title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed on 2nd November 2023.

- It is contended by the petitioner that on 2nd November 2023, she entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 206, Village Saidulajaib, New Delhi. Since the said date, the petitioner and her family have remained in open, continuous, peaceful, and undisturbed possession of the property.

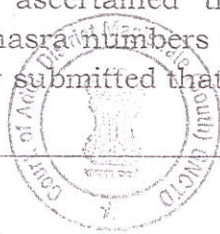


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- It is further submitted that over the past thirty-three years, the applicant has invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is pertinent that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The said fencing has at all times clearly demarcated the forest area from the applicant's residential property. Photographs from around the year 1994, taken during the construction of the applicant's house, further confirm that this physical demarcation has remained intact and visible, establishing the distinct identity and separate ownership of the two parcels of land.
- It is submitted that, till date, neither any governmental authority nor any private individual has ever questioned the applicant's occupation or interfered with her peaceful enjoyment of the property. She has remained in continuous and undisturbed possession, without any notice, complaint, or legal challenge. It is further pertinent that around 1990, the Forest Department erected a wire-mesh fence along Khasra No. 209, clearly demarcating it from the applicant's land in Khasra No. 206. The said fencing has remained intact and visibly distinguishes the two parcels. This long-standing and uncontested demarcation substantiates the applicant's separate and undisputed possession of her property.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is submitted that in the case titled *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal, vide order dated 15.01.2021, categorically held that determination of forest land boundaries for identifying encroachments must be based on a reasoned and field-verified demarcation. The Hon'ble Tribunal rejected reliance solely on remote sensing or cartographic overlays, emphasizing that such administrative action must adhere to established on-ground surveying principles. It was further clarified that the mere depiction of encroachment in aerial imagery or GIS data cannot substitute the statutory requirement of physical demarcation and verification.



- That it is further contended by the applicant that the Forest Department's reliance solely on aerial mapping provided by Geospatial Delhi Limited (GSDL) for identifying alleged encroachments in Village Saidulajaib, New Delhi, constitutes a serious procedural lapse. Such an approach, without any on-ground verification or field survey, deviates from established norms of boundary demarcation. The absence of physical verification undermines the accuracy of the findings. Consequently, the encroachment claims concerning Khasra No. 206 are rendered doubtful and unreliable.
- That It is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 206. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- That it is submitted that, owing to the ambiguity in land demarcation and the imminent threat of demolition, the applicant approached the Hon'ble High Court of Delhi by way of W.P.(C) No. 4692/2025 titled *Kalpna Gulati vs. Government of NCT of Delhi*. Vide order dated 15.04.2025, the Hon'ble High Court of Delhi directed that the demarcation report of Khasra No. 209 be supplied within one week and granted the applicant three weeks thereafter to file appropriate applications under the Indian Forest Act, 1927. The Forest Settlement Officer was further directed to adjudicate the matter by a reasoned order. The Hon'ble High Court of Delhi also restrained the Forest Department from taking any demolition action until final disposal, thereby safeguarding the applicant from irreparable harm.
- That it is submitted that the enforcement powers of the Forest Department are confined strictly to land notified as forest land, which in the present case pertains to Khasra No. 209, Village Saidulajaib, New Delhi. The extension of such authority to the applicant's privately-owned property in Khasra No. 206 is wholly without jurisdiction. Each khasra number carries a distinct legal identity, with separate boundaries and title. The Department's action, therefore, exceeds its statutory mandate and violates settled principles of land law.
- That it is submitted that the applicant's property falls in Khasra No. 206, which is a distinct parcel enclosed by a pucca boundary wall, and does not in any manner include land from Khasra No. 209. The said position can only be ascertained through a lawful and proper demarcation of both khasra numbers in accordance with prescribed procedures. It is further submitted that Khasra No. 206 does not form



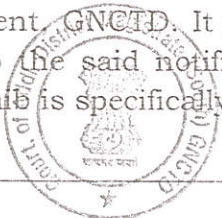
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part of any notification declaring forest land. Accordingly, the contrary assertion in the impugned notice is erroneous and untenable.

- That even till date the applicant has not been supplied/provided with any copy of any alleged demarcation proceedings carried out in respect of their property, despite repeated request been made in this regard to the concerned authorities.
- That it is submitted that the demarcation of Khasra Nos. 206 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

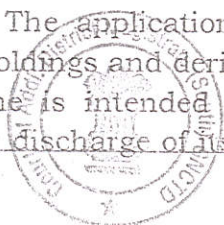
4. The relevant submissions / contentions made by the Forest Department are as under: -

- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-43, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi – 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:
 - a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.



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- c. That as per the *Revenue Department affidavit* filed by *Divisional Commissioner dated 05.04.2019* filed before the Hon'ble National Green Tribunal in *OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'*, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
 - d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as "*Sonya Ghosh versus GNCTD, OA no. 58/2013*". As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.
 - That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
 - That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as *Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386* but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: "*The Restriction on the de-reservation of forests or use of forest land for non-forest purpose.*"
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by



the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.

5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 206 is also recorded as Gram Sabha Land.
6. Case was heard in detail and was reserved for order. After considering report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner and the respondent, the following are the observations: -
 - a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
 - b. Upon consideration of the material on record, this Court notes that the applicant had submitted that the property falls within Khasra Nos. 206 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicant reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The recorded owner of Khasra No. 206 is Gram Sabha and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.



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- d. The applicant has failed to produce any conclusive and legally admissible evidence to substantiate her claim of the land falling exclusively in Khasra No. 206 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.

7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 206 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale/Will dated 02.11.2023.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant(s) is neither the recorded owners of Khasra No. 206 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



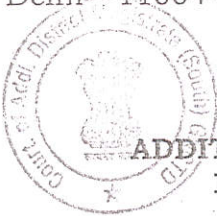
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(SUDHAKAR)

ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH

To,

1. Ms. Virmati W/o Sh. Om Prakash, R/o D-43, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



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ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

F. No. Reader/ADM(S)/Forest Matter/2026/445-46 Dated: - 07/05/2026

Case No.	16/2025
Petitioner/Applicant	Vinesh Lata
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No.	188 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicant Ms. Vinesh Lata W/o Late Sh. Dharam Singh, R/o D-33, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 in respect of land bearing Khasra No.188 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the petitioner:

- To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;
- Pass the order for fresh physical demarcation of Khasra no. 209 and 188 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

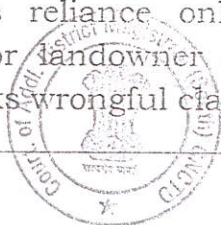
3. The submissions / contentions of the petitioner / applicant are as follows:

- That the Petitioner / Applicant is the owner of the property bearing no. D-33, Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Her title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed on 07th July 1997.



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- It is contended by the petitioner that on 07th July 1997, she entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 188, Village Saidulajaib, New Delhi. Since the said date, the petitioner / applicant has remained in open, continuous, peaceful, and undisturbed possession of the property.
- It is further submitted that over the past three decades, the applicant has invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is submitted by the applicant that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The fence constitutes a clear and continuous physical demarcation separating the applicant's property in Khasra No. 188 from the adjoining forest land. Visible on site for decades, it evidences their lawful title and peaceful possession. This longstanding boundary confirms that the said property is distinct from Khasra No. 209.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is again contended that in *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal held that forest boundary determination must be based on reasoned, field-verified demarcation and not solely on GIS or aerial imagery. The Tribunal emphasized that statutory procedures under Section 101 of the Punjab Land Revenue Act, 1887 require consent-based triangulation using fixed ground reference points. The Forest Department's reliance only on satellite data, without field verification or landowner consent, was held improper. Such deviation risks wrongful classification of private land as forest.



- That it is further contended by the applicant that the applicant along with her predecessors, have been in uninterrupted possession of the property in Khasra Nos. 188, Village Saidulajaib, since 1954, with boundaries clearly demarcated by a wire-mesh fence established prior to 1995. The said fencing serves as a visible distinction from the adjoining forest land. The Forest Department's reliance solely on GSDL aerial mapping, without any on-ground verification, is a procedural lapse. Such an approach undermines the accuracy of encroachment claims against the said property.
- That it is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 188. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- It is submitted that the notice dated 27.03.2025 suffers from serious procedural lapses, as it fails to specify the alleged encroachments and provides no supporting demarcation details such as maps or measurements. No proper show-cause opportunity was given to the applicant, depriving her of the chance to present relevant documents. This violates the principle of audi alteram partem and established norms of administrative fairness. Consequently, the notice lacks legal clarity and fails to meet the requirements of due process.
- That it is submitted by the applicant that, faced with ambiguity in demarcation and threat of demolition, the applicant approached the Hon'ble High Court of Delhi in W.P.(C) No. 4690/2025. By order dated 15.04.2025, the Court directed supply of the demarcation report and permitted the applicant to file objections before the Forest Settlement Officer for adjudication by a speaking order. The Court also restrained the Forest Department from taking demolition action until such proceedings are concluded. This ensured protection of the applicant's property from irreversible harm pending due process.
- That it is contended by the applicant that the Forest Department's authority is limited to Khasra No. 209 (forest land), and its actions concerning Khasra Nos. 188 exceed its legal



mandate, as these are distinct private properties. Proper determination of encroachment requires a detailed, on-ground demarcation process. However, reliance solely on GSDL aerial imagery, without field verification, renders the allegations speculative and legally unsustainable.

- Further that the demolition action is premature and arbitrary, particularly as the property forms part of the Paryavaran Complex, which has been under consideration for regularization since 2018, and such action undermines the objective of protecting bona fide occupants. Moreover, the purported demarcation is illegal, having been conducted without prior notice, inquiry, or participation of the Applicant, and in violation of the Delhi Land Revenue Act, 1954 and Rules, 1962. The property has been wrongly identified as Khasra No. 209 without lawful basis, and any eviction or demolition would cause severe hardship to the Applicant and her elderly family members.
- That it is submitted that the demarcation of Khasra Nos. 188 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

4. The relevant submissions / contentions made by the Forest Department are as under: -

- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-33, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:



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- a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
 - d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as **"Sonya Ghosh versus GNCTD, OA no. 58/2013"**. As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- e. Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.



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- That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
 - That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as ***Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386*** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: ***"The Restriction on the de-reservation of forests or use of forest land for non-forest purpose."***
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 188 is not recorded in the name of applicant/petitioner.
6. Case was heard in detail and was reserved for order. After considering the report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and



submissions made by the petitioner / applicant and the respondent, the following are the observations: -

- a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
- b. Upon consideration of the material on record, this Court notes that the applicant had submitted that the property falls within Khasra Nos. 188 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicant reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The applicant is not the recorded owner of Khasra No. 188 and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
- c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
- d. The applicant has failed to produce any conclusive and legally admissible evidence to substantiate her claim of the land falling exclusively in Khasra No. 188 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.



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7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 188 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale dated 07/07/1997.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant(s) is neither the recorded owners of Khasra No. 188 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.

Sudhakar
07/05/26
(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

To,

1. Ms. Vinesh Lata W/o Late Sh. Dharam Singh, R/o D-33, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



Sudhakar
07/05/26
(SUDHAKAR)
**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

F. No. Reader/ADM(S)/Forest Matter/2026/435-4 Dated: - 07/05/26

Case No.	11/2025
Petitioner/Applicant	Veena Rani & 5 Ors.
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No.	188 & 209 Village Saidulajaib

ORDER

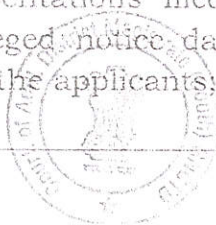
By this Order, I shall dispose of the application filed by the applicants: -

- Mrs. Veena Rani W/o Mr. Bal Krishan Mehendiratta R/o D-29, lower ground floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
- Harish Gulati S/o Sh. K. L. Gulati R/o D-29, Upper ground floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
- Sh. Jai Prakash S/o Late Baljor Singh R/o D-29, first floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi - 110030;
- Mrs. Vandana Singh W/o Sh. Sanjay Singh R/o D-29, second floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
- Sh. Jay Singh S/o Sh. Babu Lal Singh R/o D-29, left side portion of third floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
- Sarla Pant W/o Sh. Tara Datt Pant R/o D-29, right side portion of third floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi 110030.

in respect of land bearing Khasra No.188 & 209 of Village Saidulajaib, New Delhi.

The following are the prayers/reliefs sought by the petitioner:

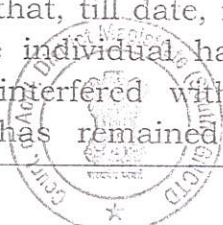
To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;



- Pass the order for fresh physical demarcation of Khasra no. 209 and 188 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. The submissions / contentions of the petitioner / applicant are as follows:

- That the Petitioners / Applicants are the absolute owners of their respective flats / floors in the property bearing no. D-29 in Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Their title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed in the year 2005, 2006 and 2019.
- It is contended by the petitioners that in the year 2005, 2006 and 2019, they entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 188, Village Saidulajaib, New Delhi. Since the said date, the petitioners and their family have remained in open, continuous, peaceful, and undisturbed possession of the property.
- It is further submitted that more than three decades, the applicants have invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is pertinent that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The said fencing has at all times clearly demarcated the forest area from the applicant's residential property. Photographs from around the year 1994, taken during the construction of the applicant's house, further confirm that this physical demarcation has remained intact and visible, establishing the distinct identity and separate ownership of the two parcels of land.
- It is submitted that, till date, neither any governmental authority nor any private individual has ever questioned the applicant's occupation or interfered with her peaceful enjoyment of the property. She has remained in continuous and undisturbed



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possession, without any notice, complaint, or legal challenge. It is further pertinent that around 1990, the Forest Department erected a wire-mesh fence along Khasra No. 209, clearly demarcating it from the applicant's land in Khasra No. 188. The said fencing has remained intact and visibly distinguishes the two parcels. This long-standing and uncontested demarcation substantiates the applicant's separate and undisputed possession of her property.

- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is submitted that in the case titled *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal, vide order dated 15.01.2021, categorically held that determination of forest land boundaries for identifying encroachments must be based on a reasoned and field-verified demarcation. The Hon'ble Tribunal rejected reliance solely on remote sensing or cartographic overlays, emphasizing that such administrative action must adhere to established on-ground surveying principles. It was further clarified that the mere depiction of encroachment in aerial imagery or GIS data cannot substitute the statutory requirement of physical demarcation and verification.
- That it is further contended by the applicant that the Forest Department's reliance solely on aerial mapping provided by Geospatial Delhi Limited (GSDL) for identifying alleged encroachments in Village Saidulajaib, New Delhi, constitutes a serious procedural lapse. Such an approach, without any on-ground verification or field survey, deviates from established norms of boundary demarcation. The absence of physical verification undermines the accuracy of the findings. Consequently, the encroachment claims concerning Khasra No. 188 are rendered doubtful and unreliable.
- That It is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 188. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.



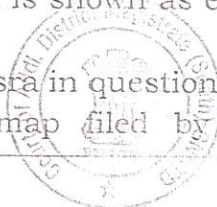
- That it is submitted that, owing to the ambiguity in land demarcation and the imminent threat of demolition, the applicant approached the Hon'ble High Court of Delhi by way of W.P.(C) No. 4695/2025 titled *B. C. Sarkar vs. Government of NCT of Delhi*. Vide order dated 15.04.2025, the Hon'ble High Court of Delhi directed that the demarcation report of Khasra No. 209 be supplied within one week and granted the applicant three weeks thereafter to file appropriate applications under the Indian Forest Act, 1927. The Forest Settlement Officer was further directed to adjudicate the matter by a reasoned order. The Hon'ble High Court of Delhi also restrained the Forest Department from taking any demolition action until final disposal, thereby safeguarding the applicant from irreparable harm.
- That it is submitted that the enforcement powers of the Forest Department are confined strictly to land notified as forest land, which in the present case pertains to Khasra No. 209, Village Saidulajaib, New Delhi. The extension of such authority to the applicant's privately-owned property in Khasra No. 188 is wholly without jurisdiction. Each khasra number carries a distinct legal identity, with separate boundaries and title. The Department's action, therefore, exceeds its statutory mandate and violates settled principles of land law.
- That it is submitted that the applicant's property falls in Khasra No. 188, which is a distinct parcel enclosed by a pucca boundary wall, and does not in any manner include land from Khasra No. 209. The said position can only be ascertained through a lawful and proper demarcation of both khasra numbers in accordance with prescribed procedures. It is further submitted that Khasra No. 188 does not form part of any notification declaring forest land. Accordingly, the contrary assertion in the impugned notice is erroneous and untenable.
- That even till date the applicant has not been supplied/provided with any copy of any alleged demarcation proceedings carried out in respect of their property, despite repeated request been made in this regard to the concerned authorities.
- That it is submitted that the demarcation of Khasra Nos. 188 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous



demarcation and a boundary dispute between two distinct khasra numbers.

4. The relevant submissions / contentions made by the Forest Department are as under: -

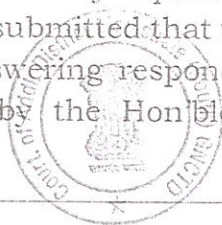
- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-29, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:
 - a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
 - d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the



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Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as "**Sonya Ghosh versus GNCTD, OA no. 58/2013**". As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.

- Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.
- That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
- That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as **Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
- That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: "**The Restriction on the de-reservation of forests or use of forest land for non-forest purpose.**"
- It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green



Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.

5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 188 is not recorded in the name of applicant/petitioner.
6. Case was heard in detail and was reserved for order. After considering report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner and the respondent, the following are the observations: -
 - a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
 - b. Upon consideration of the material on record, this Court notes that the applicants had submitted that the property falls within Khasra Nos. 188 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The applicant is not the recorded owner of Khasra No. 188 and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.



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- d. The applicants have failed to produce any conclusive and legally admissible evidence to substantiate their claim of the land falling exclusively in Khasra No. 188 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.
7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 188 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/agreement to Sale in the year 2005, 2006 and 2019.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant(s) is neither the recorded owners of Khasra No. 188 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
07/5/26
(SUDHAKAR)
**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

To,

1. Mrs. Veena Rani W/o Mr. Bal Krishan Mehendiratta R/o D-29, lower ground floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
2. Harish Gulati S/o Sh. K. L. Gulati R/o D-29, Upper ground floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
3. Sh. Jai Prakash S/o Late Baljor Singh R/o D-29, first floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi - 110030;

4. Mrs. Vandana Singh W/o Sh. Sanjay Singh R/o D-29, second floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
5. Sh. Jay Singh S/o Sh. Babu Lal Singh R/o D-29, left side protion of third floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
6. Sarla Pant W/o Sh. Tara Datt Pant R/o D-29, right side portion of third floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi 110030.
7. The Dy. Conservator of Forest (South), 1, karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

Sudhakar
07/11/26
(SUDHAKAR)



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

P. No. Reader/ADM(S)/Forest Matter/2026/

Dated: -

Case No.	18/2025
Petitioner/Applicant	Sabiha Nazavi & Ors.
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No.	206, 207, 208 & 209 Village Saidulajaib

ORDER

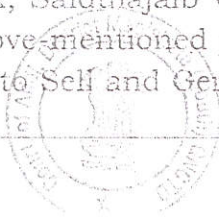
By this Order, I shall dispose of the application filed by the applicants i.e., Smt. Sabiha Nazavi W/o Dr. Fazle Sarwar r/o D-38, Ground Floor Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 and Sh. Aasim Anwar s/o Fazle Sarwar r/o D-38, First Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 in respect of land bearing Khasra No.206, 207, 208 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the applicant:

- To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;
- Pass the order for fresh physical demarcation of Khasra no. 209 and 206, 207 and 208 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. The submissions / contentions of the petitioner / applicant are as follows:

- That the Petitioner / Applicant is the absolute owner and occupant of the double-storey residential house bearing no. D-38 in Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Their title to the above-mentioned property for ground floor stands upon an Agreement to Sell and General Power of Attorney executed



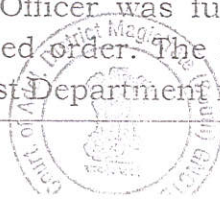
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on 08.04.2005 and for first floor the Agreement to Sell and General Power of Attorney executed on 24.02.2024.

- It is contended by the applicants that on 08.04.2005 and 24.02.2024, they entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 206, 207 and 208, Village Saidulajaib, New Delhi. Since the said date, the applicants have remained in open, continuous, peaceful, and undisturbed possession of the property.
- It is further submitted that over the past three decades, the applicants have invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is pertinent that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The said fencing has at all times clearly demarcated the forest area from the applicant's residential property. Photographs from around the year 1994, taken during the construction of the applicant's house, further confirm that this physical demarcation has remained intact and visible, establishing the distinct identity and separate ownership of the two parcels of land.
- It is submitted that, till date, neither any governmental authority nor any private individual has ever questioned the applicants' occupation or interfered with their peaceful enjoyment of the property. They have remained in continuous and undisturbed possession, without any notice, complaint, or legal challenge. It is further pertinent that around 1990, the Forest Department erected a wire-mesh fence along Khasra No. 209, clearly demarcating it from the applicants' land in Khasra No. 206, 207 & 208. The said fencing has remained intact and visibly distinguishes the two parcels. This long-standing and uncontested demarcation substantiates the applicant's separate and undisputed possession of her property.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said

application reflects the long-standing and bona fide nature of the applicant's occupancy.

- It is submitted that in the case titled *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal, vide order dated 15.01.2021, categorically held that determination of forest land boundaries for identifying encroachments must be based on a reasoned and field-verified demarcation. The Hon'ble Tribunal rejected reliance solely on remote sensing or cartographic overlays; emphasizing that such administrative action must adhere to established on-ground surveying principles. It was further clarified that the mere depiction of encroachment in aerial imagery or GIS data cannot substitute the statutory requirement of physical demarcation and verification.
- That it is further contended by the applicant that the Forest Department's reliance solely on aerial mapping provided by Geospatial Delhi Limited (GSDL) for identifying alleged encroachments in Village Saidulajaib, New Delhi, constitutes a serious procedural lapse. Such an approach, without any on-ground verification or field survey, deviates from established norms of boundary demarcation. The absence of physical verification undermines the accuracy of the findings. Consequently, the encroachment claims concerning Khasra No. 206, 207 and 208 are rendered doubtful and unreliable.
- That it is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 206, 207 and 208. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- That it is submitted that, owing to the ambiguity in land demarcation and the imminent threat of demolition, the applicant approached the Hon'ble High Court of Delhi by way of W.P.(C) No. 4695/2025 titled *B. C. Sarkar vs. Government of NCT of Delhi*. Vide order dated 15.04.2025, the Hon'ble High Court of Delhi directed that the demarcation report of Khasra No. 209 be supplied within one week and granted the applicant three weeks thereafter to file appropriate applications under the Indian Forest Act, 1927. The Forest Settlement Officer was further directed to adjudicate the matter by a reasoned order. The Hon'ble High Court of Delhi also restrained the Forest Department from taking any demolition action



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until final disposal, thereby safeguarding the applicant from irreparable harm.

- That it is submitted that the enforcement powers of the Forest Department are confined strictly to land notified as forest land, which in the present case pertains to Khasra No. 209, Village Saidulajaib, New Delhi. The extension of such authority to the applicant's privately-owned property in Khasra No. 206, 207 & 208 is wholly without jurisdiction. Each khasra number carries a distinct legal identity, with separate boundaries and title. The Department's action, therefore, exceeds its statutory mandate and violates settled principles of land law.
 - That it is submitted that the applicants' property falls in Khasra No. 206, 207 and 208, which is a distinct parcel enclosed by a pucca boundary wall, and does not in any manner include land from Khasra No. 209. The said position can only be ascertained through a lawful and proper demarcation of both khasra numbers in accordance with prescribed procedures. It is further submitted that Khasra No. 206, 207 and 208 does not form part of any notification declaring forest land. Accordingly, the contrary assertion in the impugned notice is erroneous and untenable.
 - That even till date the applicant has not been supplied/provided with any copy of any alleged demarcation proceedings carried out in respect of their property, despite repeated request been made in this regard to the concerned authorities.
 - That it is submitted that the demarcation of Khasra Nos. 206, 207, 208 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.
4. **The relevant submissions / contentions made by the Forest Department are as under: -**
- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
 - That it is submitted by the Forest Department that the land in question i.e., D-38, Paryavaran Complex, IGNOU road Saidulajaib

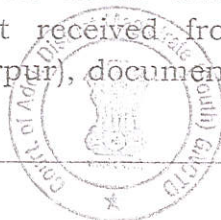


Village Tehsil Saket, New Delhi – 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:

- a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
 - d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as **"Sonya Ghosh versus GNCTD, OA no. 58/2013"**. As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land

Reforms Act, 1954, and not under the Indian Forest Act; hence, this
 Ld. Court lacks jurisdiction to examine or modify the same. The
 application is therefore misconceived and not maintainable for want
 of jurisdiction.

- That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
 - That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as ***Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386*** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: ***"The Restriction on the de-reservation of forests or use of forest land for non-forest purpose."***
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 206, 207 & 208 is also recorded as Gram Sabha Land.
6. Case was heard in detail and was reserved for order. After considering report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions



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made by the applicant and the respondent, the following are the observations: -

- a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
- b. Upon consideration of the material on record, this Court notes that the applicants had submitted that the property falls within Khasra Nos. 206, 207 and 208 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The recorded owner of Khasra No. 206 is Gram Sabha, for Khasra no. 207 is Gram Sabha, for Khasra No. 208 is Gram Sabha and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
- c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
- d. The applicant has failed to produce any conclusive and legally admissible evidence to substantiate her claim of the land falling exclusively in Khasra No. 206, 207 and 208 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.

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7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the applicant is not the legally recorded owner of the land of Khasra No. 206, 207 & 208 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale dated 24.02.2024.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant (s) is neither the recorded owners of Khasra No. 206, 207 & 208 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
07/5/26

(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

To,

1. Smt. Sabiha Nazavi W/o Dr. Fazle Sarwar r/o D-38, Ground Floor Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 and Sh. Aasim Anwar s/o Fazle Sarwar r/o D-38, First Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



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(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the applicant is not the legally recorded owner of the land of Khasra No. 206, 207 & 208 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale dated 24.02.2024.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant (s) is neither the recorded owners of Khasra No. 206, 207 & 208 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
07/5/26

(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

To,

1. Smt. Sabiha Nazavi W/o Dr. Fazle Sarwar r/o D-38, Ground Floor Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 and Sh. Aasim Anwar s/o Fazle Sarwar r/o D-38, First Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



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(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**



IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068

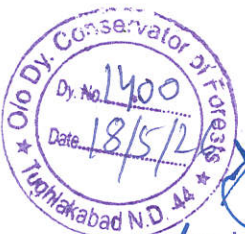
F. No. Reader/ADM(S)/Forest Matter/2026/377-85 Dated: - 07/05/2026

Case No.	15/2025
Petitioner/Applicant	Rachna Bharadwaj & Ors.
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No. & Village	188 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicants:

- (a) Smt. Rachna Bharadwaj W/o Sh. Abujaksh Bharadwaj R/o D-32, upper ground, left side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
 - (b) Sh. Dalip Gulwani S/o Sh. Uttam Chand R/o D-32, Upper ground, right side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
 - (c) Smt. Geetanjali Mishra D/o Sh. Naresh Chand Mishra R/o D-32, first ground, left side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi - 110030;
 - (d) Sh. S. R. Sharma S/o late Hukum Chand R/o D-32, first ground, right side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
 - (e) Ms. Shalini Borges D/o Romey Borges R/o D-32, Second floor, left side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
 - (f) Sh. Charanjeet Singh S/o Sh. Badev Singh R/o D-32, Second floor, right side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi 110030;
 - (g) Ms. Savita Borges W/o Sh. Romey Borges R/o D-32, third floor, left side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi - 110030;
 - (h) Mrs. Cicilia Raj W/o Sh. Anand Raj R/o D-32, third floor, right side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi - 110030
- in respect of land bearing Khasra No.188 & 209 of Village Saidulajaib, New Delhi.



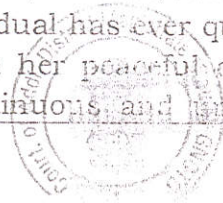
Sudhakar
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2. The following are the prayers/reliefs sought by the petitioner:

- To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;
- Pass the order for fresh physical demarcation of Khasra no. 209 and 188 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. The submissions / contentions of the petitioner / applicant are as follows:

- That the Petitioners / Applicants are the absolute owners of their respective flats / floors in the property bearing no. D-29 in Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Their title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed between the year 1999 to 2024.
- It is contended by the petitioners that between the year 1999 to 2024, they entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 188, Village Saidulajaib, New Delhi. Since the said date, the petitioners and their family have remained in open, continuous, peaceful, and undisturbed possession of the property.
- It is further submitted that more than three decades, the applicants have invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is pertinent that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The said fencing has at all times clearly demarcated the forest area from the applicant's residential property. Photographs from around the year 1994, taken during the construction of the applicant's house, further confirm that this physical demarcation has remained intact and visible, establishing the distinct identity and separate ownership of the two parcels of land.
- It is submitted that, till date, neither any governmental authority nor any private individual has ever questioned the applicant's occupation or interfered with her peaceful enjoyment of the property. She has remained in continuous and undisturbed possession, without any



notice, complaint, or legal challenge. It is further pertinent that around 1990, the Forest Department erected a wire-mesh fence along Khasra No. 209, clearly demarcating it from the applicant's land in Khasra No. 188. The said fencing has remained intact and visibly distinguishes the two parcels. This long-standing and uncontested demarcation substantiates the applicant's separate and undisputed possession of her property.

- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is submitted that in the case titled *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal, vide order dated 15.01.2021, categorically held that determination of forest land boundaries for identifying encroachments must be based on a reasoned and field-verified demarcation. The Hon'ble Tribunal rejected reliance solely on remote sensing or cartographic overlays, emphasizing that such administrative action must adhere to established on-ground surveying principles. It was further clarified that the mere depiction of encroachment in aerial imagery or GIS data cannot substitute the statutory requirement of physical demarcation and verification.
- That it is further contended by the applicant that the Forest Department's reliance solely on aerial mapping provided by Geospatial Delhi Limited (GSDL) for identifying alleged encroachments in Village Saidulajaib, New Delhi, constitutes a serious procedural lapse. Such an approach, without any on-ground verification or field survey, deviates from established norms of boundary demarcation. The absence of physical verification undermines the accuracy of the findings. Consequently, the encroachment claims concerning Khasra No. 206 and 207 are rendered doubtful and unreliable.
- That It is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 206 and 207. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- That it is submitted that, owing to the ambiguity in land demarcation and the imminent threat of demolition, the applicant approached the Hon'ble High Court of Delhi by way of W.P.(C) No. 4701/2025 titled

Rachna Bharadwaj vs. Government of NCT of Delhi. Vide order dated 15.04.2025, the Hon'ble High Court of Delhi directed that the demarcation report of Khasra No. 209 be supplied within one week and granted the applicant three weeks thereafter to file appropriate applications under the Indian Forest Act, 1927. The Forest Settlement Officer was further directed to adjudicate the matter by a reasoned order. The Hon'ble High Court of Delhi also restrained the Forest Department from taking any demolition action until final disposal, thereby safeguarding the applicant from irreparable harm.

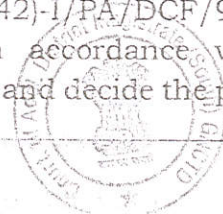
- That it is submitted that the enforcement powers of the Forest Department are confined strictly to land notified as forest land, which in the present case pertains to Khasra No. 209, Village Saidulajaib, New Delhi. The extension of such authority to the applicant's privately-owned property in Khasra No. 188 is wholly without jurisdiction. Each khasra number carries a distinct legal identity, with separate boundaries and title. The Department's action, therefore, exceeds its statutory mandate and violates settled principles of land law.
 - That it is submitted that the applicant's property falls in Khasra No. 188, which is a distinct parcel enclosed by a pucca boundary wall, and does not in any manner include land from Khasra No. 209. The said position can only be ascertained through a lawful and proper demarcation of both khasra numbers in accordance with prescribed procedures. It is further submitted that Khasra No. 188 does not form part of any notification declaring forest land. Accordingly, the contrary assertion in the impugned notice is erroneous and untenable.
 - That even till date the applicant has not been supplied/provided with any copy of any alleged demarcation proceedings carried out in respect of their property, despite repeated request been made in this regard to the concerned authorities.
 - That it is submitted that the demarcation of Khasra Nos. 188 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.
4. The relevant submissions / contentions made by the Forest Department are as under: -
- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.



- That it is submitted by the Forest Department that the land in question i.e., D-32, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:
 - a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
 - d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as **"Sonya Ghosh versus GNCTD, OA no. 58/2013"**. As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.



- That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
 - That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as ***Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386*** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: ***"The Restriction on the de-reservation of forests or use of forest land for non-forest purpose."***
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 188 is not recorded in the name of applicant/petitioner.
6. Case was heard in detail and was reserved for order. After considering report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner and the respondent, the following are the observations: -
- a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely



lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.

- b. Upon consideration of the material on record, this Court notes that the applicants had submitted that the property falls within Khasra No. 188 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The applicant is not the recorded owner of Khasra No. 188 and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
 - d. The applicants have failed to produce any conclusive and legally admissible evidence to substantiate their claim of the land falling exclusively in Khasra No. 188 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.
7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 188 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA executed between the year 1999 to 2024.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant (s) is neither the recorded owners of Khasra No. 188 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.



It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
07/05/26

(SUDHAKAR)

ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH

To,

1. Smt. Rachna Bharadwaj W/o Sh. Abujaksh Bharadwaj R/o D-32, upper ground, left side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
2. Sh. Dalip Gulwani S/o Sh. Uttam Chand R/o D-32, Upper ground, right side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
3. Smt. Geetanjali Mishra D/o Sh. Naresh Chand Mishra R/o D-32, first ground, left side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi - 110030;
4. Sh. S. R. Sharma S/o late Hukum Chand R/o D-32, first ground, right side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
5. Ms. Shalini Borges D/o Romey Borges R/o D-32, Second floor, left side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi-110030;
6. Sh. Charanjeet Singh S/o Sh. Badev Singh R/o D-32, Second floor, right side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi 110030;
7. Ms. Savita Borges W/o Sh. Romey Borges R/o D-32, third floor, left side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi - 110030;
8. Mrs. Cicilia Raj W/o Sh. Anand Raj R/o D-32, third floor, right side, Paryavaran Complex, IGNOU road, Saidulajaib Village, New Delhi - 110030.
9. The Dy. Conservator of Forest (South), 1, karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



Sudhakar
07/05/26

(SUDHAKAR)

ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

F. No. Reader/ADM(S)/Forest Matter/2026/394-95 Dated: -07/05/2026

Case No.	22/2025
Petitioner/Applicant	Ms. Premwati Goel
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No.	206, 207 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicant Ms. Premwati Goel W/o Sh. Dayanand Goel, R/o D-36, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 in respect of land bearing Khasra No. 206, 207 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the petitioner:

- To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;
- Pass the order for fresh physical demarcation of Khasra no. 209 and 206/207 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. The submissions / contentions of the petitioner / applicant are as follows:

- That the Petitioner / Applicant is the owner of the property bearing no. D-36, Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Her title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed on 01st June 1993.

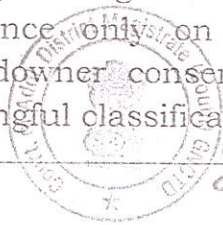


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Sudhakar
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- It is contended by the petitioner that on 01st June 1993, she entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 206/207, Village Saidulajaib, New Delhi. Since the said date, the petitioner / applicant has remained in open, continuous, peaceful, and undisturbed possession of the property.
- It is further submitted that over the past three decades, the applicant has invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is pertinent that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The fence constitutes a clear and continuous physical demarcation separating the applicant's property in Khasra Nos. 206 and 207 from the adjoining forest land. Visible on site for decades, it evidences their lawful title and peaceful possession. This longstanding boundary confirms that the said property is distinct from Khasra No. 209.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is again contended that in *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal held that forest boundary determination must be based on reasoned, field-verified demarcation and not solely on GIS or aerial imagery. The Tribunal emphasized that statutory procedures under Section 101 of the Punjab Land Revenue Act, 1887 require consent-based triangulation using fixed ground reference points. The Forest Department's reliance only on satellite data, without field verification or landowner consent, was held improper. Such deviation risks wrongful classification of private land as forest.



- That it is further contended by the applicant along with her predecessors, have been in uninterrupted possession of the property in Khasra Nos. 206 and 207, village Saidulajaib, since 1954, with boundaries clearly demarcated by a wire-mesh fence established prior to 1995. The said fencing serves as a visible distinction from the adjoining forest land. The Forest Department's reliance solely on GSDL aerial mapping, without any on-ground verification, is a procedural lapse. Such an approach undermines the accuracy of encroachment claims against the said property.
- That it is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 206/207. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- It is submitted that the notice dated 27.03.2025 suffers from serious procedural lapses, as it fails to specify the alleged encroachments and provides no supporting demarcation details such as maps or measurements. No proper show-cause opportunity was given to the applicant, depriving her of the chance to present relevant documents. This violates the principle of audi alteram partem and established norms of administrative fairness. Consequently, the notice lacks legal clarity and fails to meet the requirements of due process.
- That it is submitted by the applicant that, faced with ambiguity in demarcation and threat of demolition, the applicant approached the Hon'ble High Court of Delhi in W.P.(C) No. 4692/2025. By order dated 15.04.2025, the Court directed supply of the demarcation report and permitted the applicant to file objections before the Forest Settlement Officer for adjudication by a speaking order. The Court also restrained the Forest Department from taking demolition action until such proceedings are concluded. This ensured protection of the applicant's property from irreversible harm pending due process.

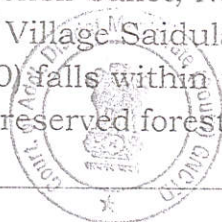


Sudhakar
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- That it is contended by the applicant that the Forest Department's authority is limited to Khasra No. 209 (forest land), and its actions concerning Khasra Nos. 206 & 207 exceed its legal mandate, as these are distinct private properties. Proper determination of encroachment requires a detailed, on-ground demarcation process. However, reliance solely on GSDL aerial imagery, without field verification, renders the allegations speculative and legally unsustainable.
- Further that the demolition action is premature and arbitrary, particularly as the property forms part of the Paryavaran Complex, which has been under consideration for regularization since 2018, and such action undermines the objective of protecting bona fide occupants. Moreover, the purported demarcation is illegal, having been conducted without prior notice, inquiry, or participation of the Applicant, and in violation of the Delhi Land Revenue Act, 1954 and Rules, 1962. The property has been wrongly identified as Khasra No. 209 without lawful basis, and any eviction or demolition would cause severe hardship to the Applicant and her elderly family members.
- That it is submitted that the demarcation of Khasra Nos. 206 and 207 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

4. The relevant submissions / contentions made by the Forest Department are as under: -

- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-36, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian

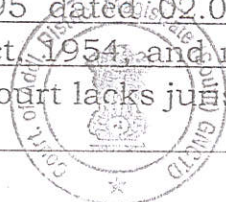


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Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:

- a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
- b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
- c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
- d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as **"Sonya Ghosh versus GNCTD, OA no. 58/2013"**. As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- e. Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the



same. The application is therefore misconceived and not maintainable for want of jurisdiction.

- That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
 - That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as **Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: ***"The Restriction on the de-reservation of forests or use of forest land for non-forest purpose."***
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 206 & 207 is also recorded as Gram Sabha Land.



Sudhakar
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6. Case was heard in detail and was reserved for order. After considering the report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner / applicant and the respondent, the following are the observations: -
- a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
 - b. Upon consideration of the material on record, this Court notes that the applicant had submitted that the property falls within Khasra Nos. 206 and 207 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicant reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The recorded owner of Khasra No. 206 is Gram Sabha, for Khasra No. 207 is Gram Sabha and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
 - d. The applicant has failed to produce any conclusive and legally admissible evidence to substantiate her claim of the land falling exclusively in Khasra No. 206 and 207 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.



Sudhakar
07/5/26

7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 206 & 207 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA dated 01.06.1993.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant(s) is neither the recorded owners of Khasra No. 206 & 207 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
07/5/26

(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

To,

1. Ms. Premwati Goel W/o Sh. Dayanand Goel, R/o D-36, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



Sudhakar
07/5/26

(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

F. No. Reader/ADM(S)/Forest Matter/2026/396-97 Dated: - 07/05/2026

Case No.	10/2025
Petitioner/Applicant	Prabha Sharma
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No. & Village	206, 208 & 209 Village Saidulajaib, New Delhi

ORDER

By this Order, I shall dispose of the application filed by the applicant Ms. Prabha Sharma W/o Dr. Devender Kumar, R/o D-35, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030, in respect of land bearing Khasra No. 206, 208 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the petitioner:

- To allow the representations filed by the applicant and her husband Sh. Devender Kumar;
- Set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicant and her husband;
- Pass the order for fresh physical demarcation of Khasra no. 206, 208 and 209 of Village Saidulajaib, New Delhi in the presence of the applicants and her husband Sh. Devender Kumar by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. The submissions / contentions of the petitioner / applicant are as follows:

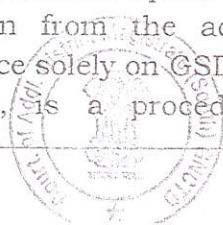
- That the Petitioner / Applicant is the co-owner along with her husband Sh. Devender Kumar of the property bearing no. D-35 Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Her title to the above-mentioned property stands upon an Indemnity Bond, Agreement to Sell and General Power of Attorney executed on 30th June 2003.

It is contended by the petitioner that on 30th June 2003, she and her husband entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in



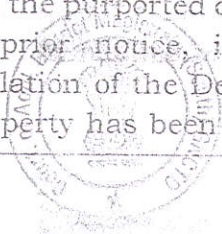
Khasra No. 206 & 208, Village Saidulajaib, New Delhi. Since, the said date, the petitioner and her husband have remained in open, continuous, peaceful, and undisturbed possession of the property.

- It is further submitted that over the past three decades, the applicant and her husband have invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is pertinent that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The fence constitutes a clear and continuous physical demarcation separating the applicant's property in Khasra Nos. 206 and 208 from the adjoining forest land. Visible on site for decades, it evidences their lawful title and peaceful possession. This longstanding boundary confirms that the said property is distinct from Khasra No. 209.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is again contended that in *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal held that forest boundary determination must be based on reasoned, field-verified demarcation and not solely on GIS or aerial imagery. The Tribunal emphasized that statutory procedures under Section 101 of the Punjab Land Revenue Act, 1887 require consent-based triangulation using fixed ground reference points. The Forest Department's reliance only on satellite data, without field verification or landowner consent, was held improper. Such deviation risks wrongful classification of private land as forest.
- That it is further contended by the applicant and her husband, Sh. Devender Kumar, along with their predecessors, have been in uninterrupted possession of the property in Khasra Nos. 206 and 208, village Saidulajaib, since 1954, with boundaries clearly demarcated by a wire-mesh fence established prior to 1995. The said fencing serves as a visible distinction from the adjoining forest land. The Forest Department's reliance solely on GSDL aerial mapping, without any on-ground verification, is a procedural lapse. Such an approach



undermines the accuracy of encroachment claims against the said property.

- That it is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 206 and 208. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- It is submitted that the notice dated 27.03.2025 suffers from serious procedural lapses, as it fails to specify the alleged encroachments and provides no supporting demarcation details such as maps or measurements. No proper show-cause opportunity was given to the applicant and her husband, depriving them of the chance to present relevant documents. This violates the principle of Audi alteram partem and established norms of administrative fairness. Consequently, the notice lacks legal clarity and fails to meet the requirements of due process.
- That it is submitted by the applicant that, faced with ambiguity in demarcation and threat of demolition, the applicant approached the Hon'ble High Court of Delhi in W.P.(C) No. 4701/2025. By order dated 15.04.2025, the Court directed supply of the demarcation report and permitted the applicant to file objections before the Forest Settlement Officer for adjudication by a speaking order. The Court also restrained the Forest Department from taking demolition action until such proceedings are concluded. This ensured protection of the applicant's property from irreversible harm pending due process.
- That it is contended by the applicant that the Forest Department's authority is limited to Khasra No. 209 (forest land), and its actions concerning Khasra Nos. 206 & 208 exceed its legal mandate, as these are distinct private properties. Proper determination of encroachment requires a detailed, on-ground demarcation process. However, reliance solely on GSDL aerial imagery, without field verification, renders the allegations speculative and legally unsustainable.
- Further that the demolition action is premature and arbitrary, particularly as the property forms part of the Paryavaran Complex, which has been under consideration for regularization since 2018, and such action undermines the objective of protecting bona fide occupants. Moreover, the purported demarcation is illegal, having been conducted without prior notice, inquiry, or participation of the Applicant, and in violation of the Delhi Land Revenue Act, 1954 and Rules, 1962. The property has been wrongly identified as Khasra No.



209 without lawful basis, and any eviction or demolition would cause severe hardship to the Applicant, her husband, and their elderly family members.

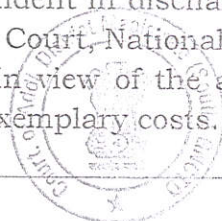
- That it is submitted that the demarcation of Khasra Nos. 206 and 208 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

4. The relevant submissions / contentions made by the Forest Department are as under: -

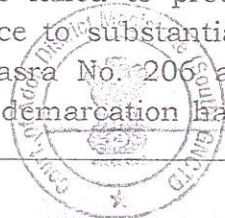
- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-35, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:
 - a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18 the total area of Khasra no. 209 is

19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.

- d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as "**Sonya Ghosh versus GNCTD, OA no. 58/2013**". As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- e. Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.
- e. That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
- e. That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as **Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
- e. That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: "**The Restriction on the de-reservation of forests or use of forest land for non-forest purpose.**"
- e. It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.



5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 206 & 208 is also recorded as Gram Sabha Land.
6. Case was heard in detail and was reserved for order. After considering the report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner / applicant and the respondent, the following are the observations: -
 - a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
 - b. Upon consideration of the material on record, this Court notes that the applicant had submitted that the property falls within Khasra Nos. 206 and 208 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The recorded owner of Khasra No. 206 is Gram Sabha, for Khasra No. 208 is Gram Sabha and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
 - d. The applicant has failed to produce any conclusive and legally admissible evidence to substantiate her claim of the land falling exclusively in Khasra No. 206 and 208 or to rebut the official demarcation. The demarcation has already been conducted and is



on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.

7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 206 & 208 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale dated 28.06.2003.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant (s) is neither the recorded owners of Khasra No. 206 & 208 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 07th day of May, 2026.



Sudhakar
07/05/26

(SUDHAKAR)
ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH

To,

1. Ms. Prabha Sharma W/o Dr. Devender Kumar, R/o D-35, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



Sudhakar
07/05/26

(SUDHAKAR)
ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

S. No. Reader/ADM(S)/Forest Matter/2026/400-01 Dated: - 07/05/2026

Case No.	23/2025
Petitioner/Applicant	Nellie Dev
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No. & Village	208 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicant Ms. Nellie Dev D/o Late Sh. A. K. Dev, R/o D-44, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 in respect of land bearing Khasra No. 208 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the petitioner:

- To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;
- Pass the order for fresh physical demarcation of Khasra no. 209 and 208 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. The submissions / contentions of the petitioner / applicant are as follows:

- That the Petitioner / Applicant is the absolute owner and occupant of the double-storey residential house bearing no. D-44 in Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Her title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed on 2nd March 1992.

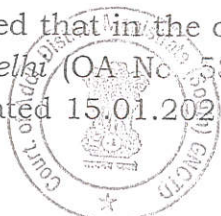
- It is contended by the petitioner that on 2nd March 1992, she entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 208, Village Saidulajaib, New Delhi. Since the said date, the



Sudhakar
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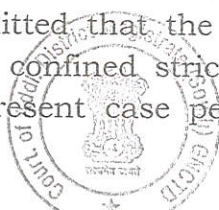
petitioner and her family have remained in open, continuous, peaceful, and undisturbed possession of the property.

- It is further submitted that over the past thirty-three years, the applicant has invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is pertinent that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The said fencing has at all times clearly demarcated the forest area from the applicant's residential property. Photographs from around the year 1994, taken during the construction of the applicant's house, further confirm that this physical demarcation has remained intact and visible, establishing the distinct identity and separate ownership of the two parcels of land.
- It is submitted that, till date, neither any governmental authority nor any private individual has ever questioned the applicant's occupation or interfered with her peaceful enjoyment of the property. She has remained in continuous and undisturbed possession, without any notice, complaint, or legal challenge. It is further pertinent that around 1990, the Forest Department erected a wire-mesh fence along Khasra No. 209, clearly demarcating it from the applicant's land in Khasra No. 208. The said fencing has remained intact and visibly distinguishes the two parcels. This long-standing and uncontested demarcation substantiates the applicant's separate and undisputed possession of her property.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is submitted that in the case titled *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal, vide order dated 15.01.2021, categorically held that determination



of forest land boundaries for identifying encroachments must be based on a reasoned and field-verified demarcation. The Hon'ble Tribunal rejected reliance solely on remote sensing or cartographic overlays, emphasizing that such administrative action must adhere to established on-ground surveying principles. It was further clarified that the mere depiction of encroachment in aerial imagery or GIS data cannot substitute the statutory requirement of physical demarcation and verification.

- That it is further contended by the applicant that the Forest Department's reliance solely on aerial mapping provided by Geospatial Delhi Limited (GSDL) for identifying alleged encroachments in Village Saidulajaib, New Delhi, constitutes a serious procedural lapse. Such an approach, without any on-ground verification or field survey, deviates from established norms of boundary demarcation. The absence of physical verification undermines the accuracy of the findings. Consequently, the encroachment claims concerning Khasra No. 208 are rendered doubtful and unreliable.
- That It is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 208. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- That it is submitted that, owing to the ambiguity in land demarcation and the imminent threat of demolition, the applicant approached the Hon'ble High Court of Delhi by way of W.P.(C) No. 4700/2025 titled *Nellie Dev vs. Government of NCT of Delhi*. Vide order dated 15.04.2025, the Hon'ble High Court of Delhi directed that the demarcation report of Khasra No. 209 be supplied within one week and granted the applicant three weeks thereafter to file appropriate applications under the Indian Forest Act, 1927. The Forest Settlement Officer was further directed to adjudicate the matter by a reasoned order. The Hon'ble High Court of Delhi also restrained the Forest Department from taking any demolition action until final disposal, thereby safeguarding the applicant from irreparable harm.
- That it is submitted that the enforcement powers of the Forest Department are confined strictly to land notified as forest land, which in the present case pertains to Khasra No. 209, Village



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Saidulajaib, New Delhi. The extension of such authority to the applicant's privately owned property in Khasra No. 208 is wholly without jurisdiction. Each khasra number carries a distinct legal identity, with separate boundaries and title. The Department's action, therefore, exceeds its statutory mandate and violates settled principles of land law.

- That it is submitted that the applicant's property falls in Khasra No. 208, which is a distinct parcel enclosed by a pucca boundary wall, and does not in any manner include land from Khasra No. 209. The said position can only be ascertained through a lawful and proper demarcation of both khasra numbers in accordance with prescribed procedures. It is further submitted that Khasra No. 208 does not form part of any notification declaring forest land. Accordingly, the contrary assertion in the impugned notice is erroneous and untenable.
- That even till date the applicant has not been supplied/provided with any copy of any alleged demarcation proceedings carried out in respect of their property, despite repeated request been made in this regard to the concerned authorities.
- That it is submitted that the demarcation of Khasra Nos. 208 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

4. The relevant submissions / contentions made by the Forest Department are as under: -

- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-44, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:



Sudhakar
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- a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
 - d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as **"Sonya Ghosh versus GNCTD, OA no. 58/2013"**. As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.



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- That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
 - That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as ***Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386*** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: ***"The Restriction on the de-reservation of forests or use of forest land for non-forest purpose."***
 - It is submitted that the present application has been filed with mala fide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 208 is also recorded as Gram Sabha Land.
6. Case was heard in detail and was reserved for order. After considering report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner and the respondent, the following are the observations: -
- a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the



Sudhakar
07/5/26

present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.

- b. Upon consideration of the material on record, this Court notes that the applicant had submitted that the property falls within Khasra No. 208 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicant reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The recorded owner of Khasra No. 208 is Gram Sabha and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
 - d. The applicant has failed to produce any conclusive and legally admissible evidence to substantiate her claim of the land falling exclusively in Khasra No. 208 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.
7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 208 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale dated 27.03.1992.



- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant(s) is neither the recorded owners of Khasra No. 208 nor of Khasra No. 209 as mentioned in the documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

Sudhakar
07/15/26

To,

1. Ms. Nellie Dev D/o Late Sh. A. K. Dev, R/o D-44, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

Sudhakar
07/15/26



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

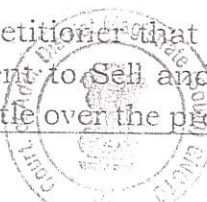
F. No. Reader/ADM(S)/Forest Matter/2026/392-93 Dated: - 07/05/2026

Case No.	21/2025
Petitioner/Applicant	Meenakshi Kapoor
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No. & Village	188 & 209 Village Saidulajaib

ORDER

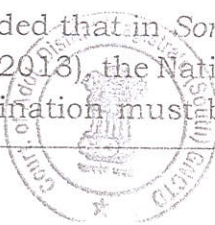
By this Order, I shall dispose of the application filed by the applicant Ms. Meenakshi Kapoor W/o Sh. Sunny Kapoor, R/o D-29, Ground Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 in respect of land bearing Khasra No. 188 & 209 of Village Saidulajaib, New Delhi.

2. **The following are the prayers/reliefs sought by the petitioner:**
 - Allow the application / representations filed by the applicant and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicant;
 - Issue necessary directions against the Respondents thereby restraining them from carrying out any further encroachment over the land belonging to the Applicant in Property bearing no. Property no. D-29, Khasra no. 188, Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi;
 - Pass any other order / direction in favour of the applicant & against the respondents.
3. **The submissions / contentions of the petitioner / applicant are as follows:**
 - That the Petitioner / Applicant is the co-owner of the property bearing no. D-29, Ground Floor, Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Her title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed on 16th February 2015.
 - It is contended by the petitioner that on 16th February 2015, she entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No.



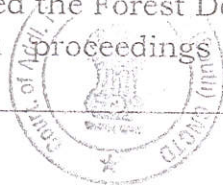
188, Village Saidulajaib, New Delhi. Since the said date, the petitioner / applicant has remained in open, continuous, peaceful, and undisturbed possession of the property.

- Further contended that the Applicant and previous owners have been in peaceful, continuous possession of the property for over thirty (30) years, with all dues such as house tax duly paid, and supporting documents including the chain of ownership, Khatauni, tax receipts, electricity bills, and photographs annexed. However, on 01.04.2025, a demolition notice dated 27.03.2025 was affixed by the Respondent / Forest Department directing encroachers on Khasra No. 209, Village Saidulajaib, New Delhi, to vacate alleged forest land within 15 days, failing which demolition would follow. The said notice has been erroneously served upon the Applicant's property situated in Khasra No. 188, which is distinct and has been under settled possession for decades. The notice further fails to specify the extent or area of alleged encroachment and appears to have been issued arbitrarily and with mala fide intent, causing unwarranted interference and potential financial loss to the Applicant.
- That in the year 1990, a wire mesh fence was erected along the southern periphery of Khasra No. 209 and has since been maintained by the Forest Department. The said boundary clearly demarcates the limits of the forest land from the adjoining private lands, including the land of the Applicant.
- That it is submitted by the applicant that the official revenue map of Saidulajaib Village, available on the government's portal at https://gsdl.org.in/revenue_map, clearly shows that the property in question lies entirely within Khasra No. 188 and not Khasra No. 209, as erroneously stated by the Respondents in the demolition notice dated 27.03.2025. The map distinctly delineates the boundaries of Khasra Nos. 188 and 209, unequivocally confirming that the Applicant's property falls outside the area referenced in the notice. This public record highlights the arbitrary and mistaken basis of the Respondents' actions.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is again contended that in *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal held that forest boundary determination must be based on reasoned, field-verified



demarcation and not solely on GIS or aerial imagery. The Tribunal emphasized that statutory procedures under Section 101 of the Punjab Land Revenue Act, 1887 require consent-based triangulation using fixed ground reference points. The Forest Department's reliance only on satellite data, without field verification or landowner consent, was held improper. Such deviation risks wrongful classification of private land as forest.

- That it is further contended by the applicant that the applicant along with her predecessors, have been in uninterrupted possession of the property in Khasra Nos. 188, Village Saidulajaib, since 1954, with boundaries clearly demarcated by a wire-mesh fence established prior to 1995. The said fencing serves as a visible distinction from the adjoining forest land. The Forest Department's reliance solely on GSDL aerial mapping, without any on-ground verification, is a procedural lapse. Such an approach undermines the accuracy of encroachment claims against the said property.
- That it is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 188. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- It is submitted that the notice dated 27.03.2025 suffers from serious procedural lapses, as it fails to specify the alleged encroachments and provides no supporting demarcation details such as maps or measurements. No proper show-cause opportunity was given to the applicant, depriving her of the chance to present relevant documents. This violates the principle of audi alteram partem and established norms of administrative fairness. Consequently, the notice lacks legal clarity and fails to meet the requirements of due process.
- That it is submitted by the applicant that, faced with ambiguity in demarcation and threat of demolition, the applicant approached the Hon'ble High Court of Delhi in W.P.(C) No. 4687/2025. By order dated 15.04.2025, the Court directed supply of the demarcation report and permitted the applicant to file objections before the Forest Settlement Officer for adjudication by a speaking order. The Court also restrained the Forest Department from taking demolition action until such proceedings are concluded. This ensured



protection of the applicant's property from irreversible harm pending due process.

- That it is contended by the applicant that the Forest Department's authority is limited to Khasra No. 209 (forest land), and its actions concerning Khasra Nos. 188 exceed its legal mandate, as these are distinct private properties. Proper determination of encroachment requires a detailed, on-ground demarcation process. However, reliance solely on GSDL aerial imagery, without field verification, renders the allegations speculative and legally unsustainable.
- That it is submitted that the demarcation of Khasra Nos. 188 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

4. The relevant submissions / contentions made by the Forest Department are as under: -

- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-29, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:
 - a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms

Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.

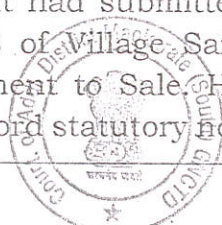
- c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
- d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as "**Sonya Ghosh versus GNCTD, OA no. 58/2013**". As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- e. Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.
- f. That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
- g. That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi



Sudhakar
07/12/16

in the case titled as *Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386* but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.

- That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: ***"The Restriction on the de-reservation of forests or use of forest land for non-forest purpose."***
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 188 is not recorded in the name of applicant/petitioner.
 6. Case was heard in detail and was reserved for order. After considering the report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner / applicant and the respondent, the following are the observations: -
 - a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
 - b. Upon consideration of the material on record, this Court notes that the applicant had submitted that the property falls within Khasra Nos. 188 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and



the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The applicant is not the recorded owner of Khasra No. 188 and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.

- c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
- d. The applicant has failed to produce any conclusive and legally admissible evidence to substantiate her claim of the land falling exclusively in Khasra No. 188 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.

7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 188 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale dated 02.03.2015.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant (s) is neither the recorded owners of Khasra No. 188 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.



Sudhakar
07/12/26

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
07/5/26

(SUDHAKAR)

ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH

To,

1. Ms. Meenakshi Kapoor W/o Sh. Sunny Kapoor, R/o D-29, Ground Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



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(SUDHAKAR)

ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

F. No. Reader/ADM(S)/Forest Matter/2026/421-32 Dated: - 07/05/26

Case No.	12/2025
Petitioner/Applicant	Kalpana Gulati & Ors.
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No. & Village	188 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicants: -

- (a) Smt. Kalpana W/o Mr. Rajeev Gulati, R/o D-31, Flat no. 1, Upper Ground Floor, Paryavaran Complex, IGNOU Road, Saidulajaib Village, Tehsil Saket, New Delhi - 110030;
- (b) Smt. Nirmal Sethi w/o Sh. S. B. Sethi R/o D-31, Flat no. 2, Upper Ground Floor, Paryavaran Complex, IGNOU Road, Saidulajaib Village, Tehsil Saket, New Delhi - 110030;
- (c) Smt. Neelu Lama W/o Mr. Tama Singh Lama R/o D-31, flat no. 1, first floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
- (d) Sh. Gauri Shankar Tyagi S/o Sh. S.K. Tyagi R/o D-31, flat no. 2, first floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
- (e) Sh. Varun Kathuria S/o Sh. Chander Mohan Kathuria R/o D-31, flat no. 1 second floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi- 110030;
- (f) Sh. Dharam Singh S/o Sh. Vijay Singh R/o D-31, flat no. 2. second floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
- (g) Sh. Harsh Kathuria S/o Sh. Chander Mohan Kathuria R/o D-31, flat no. 1, third floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
- (h) Sh. Harsh Bedi So Late Sh. Inder Singh Bedi R/o D-31, flat no. 2 third floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;



- (i) Sh. Jai Shankar R/o D-31, top floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi- 110030;
- (j) Amit Kumar R/o D-31, ground floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi- 110030;
- (k) Smt. Deepti Batra W/o Sh. Devender Batra R/o D-31, flat no. 1, ground floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi- 110030

In respect of land bearing Khasra No. 188 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the petitioner:

- To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;
- Pass the order for fresh physical demarcation of Khasra no. 209 and 188 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. The submissions / contentions of the petitioner / applicant are as follows: -

- That the Petitioners / Applicants are the absolute owner and occupant of the double-storey residential house bearing no. D-31 in Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Their title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed in the year 2016.
- It is contended by the petitioner that in the year 2016, the applicants entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 188 Village Saidulajaib, New Delhi. Since the said date, the petitioner and her family have remained in open, continuous, peaceful, and undisturbed possession of the property.
- It is further submitted that over the more than three decades, the applicants have invested considerable time and resources in



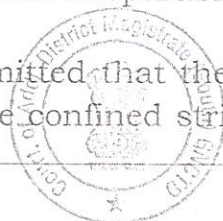
maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is pertinent that no authority has ever disputed her possession or initiated any action for eviction.

- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The said fencing has at all times clearly demarcated the forest area from the applicant's residential property. Photographs from around the year 1994, taken during the construction of the applicant's house, further confirm that this physical demarcation has remained intact and visible, establishing the distinct identity and separate ownership of the two parcels of land.
- It is submitted that, till date, neither any governmental authority nor any private individual has ever questioned the applicant's occupation or interfered with her peaceful enjoyment of the property. She has remained in continuous and undisturbed possession, without any notice, complaint, or legal challenge. It is further pertinent that around 1990, the Forest Department erected a wire-mesh fence along Khasra No. 209, clearly demarcating it from the applicant's land in Khasra No. 188. The said fencing has remained intact and visibly distinguishes the two parcels. This long-standing and uncontested demarcation substantiates the applicant's separate and undisputed possession of her property.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is submitted that in the case titled *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal, vide order dated 15.01.2021, categorically held that determination of forest land boundaries for identifying encroachments must be based on a reasoned and field-verified



demarcation. The Hon'ble Tribunal rejected reliance solely on remote sensing or cartographic overlays, emphasizing that such administrative action must adhere to established on-ground surveying principles. It was further clarified that the mere depiction of encroachment in aerial imagery or GIS data cannot substitute the statutory requirement of physical demarcation and verification.

- That it is further contended by the applicant that the Forest Department's reliance solely on aerial mapping provided by Geospatial Delhi Limited (GSDL) for identifying alleged encroachments in Village Saidulajaib, New Delhi, constitutes a serious procedural lapse. Such an approach, without any on-ground verification or field survey, deviates from established norms of boundary demarcation. The absence of physical verification undermines the accuracy of the findings. Consequently, the encroachment claims concerning Khasra No. 206 and 208 are rendered doubtful and unreliable.
- That It is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 188. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- That it is submitted that, owing to the ambiguity in land demarcation and the imminent threat of demolition, the applicant approached the Hon'ble High Court of Delhi by way of W.P.(C) No. 4692/2025 titled *Kalpna Gulati vs. Government of NCT of Delhi*. Vide order dated 15.04.2025, the Hon'ble High Court of Delhi directed that the demarcation report of Khasra No. 209 be supplied within one week and granted the applicant three weeks thereafter to file appropriate applications under the Indian Forest Act, 1927. The Forest Settlement Officer was further directed to adjudicate the matter by a reasoned order. The Hon'ble High Court of Delhi also restrained the Forest Department from taking any demolition action until final disposal, thereby safeguarding the applicant from irreparable harm.
- That it is submitted that the enforcement powers of the Forest Department are confined strictly to land notified as forest land,

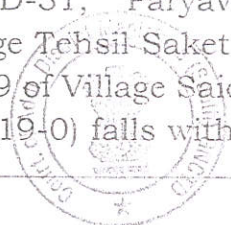


which in the present case pertains to Khasra No. 209, Village Saidulajaib, New Delhi. The extension of such authority to the applicant's privately-owned property in Khasra No. 188 is wholly without jurisdiction. Each khasra number carries a distinct legal identity, with separate boundaries and title. The Department's action, therefore, exceeds its statutory mandate and violates settled principles of land law.

- That it is submitted that the applicant's property falls in Khasra No. 188, which is a distinct parcel enclosed by a pucca boundary wall, and does not in any manner include land from Khasra No. 209. The said position can only be ascertained through a lawful and proper demarcation of both khasra numbers in accordance with prescribed procedures. It is further submitted that Khasra No. 188 does not form part of any notification declaring forest land. Accordingly, the contrary assertion in the impugned notice is erroneous and untenable.
- That even till date the applicant has not been supplied/provided with any copy of any alleged demarcation proceedings carried out in respect of their property, despite repeated request been made in this regard to the concerned authorities.
- That it is submitted that the demarcation of Khasra Nos. 188 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

4. The relevant submissions / contentions made by the Forest Department are as under: -

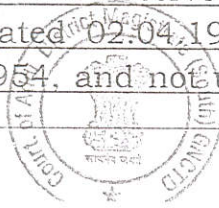
- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-31, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a



Sudheer
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land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:

- a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
- b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
- c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
- d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as "**Sonya Ghosh versus GNCTD, OA no. 58/2013**". As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- e. Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act;



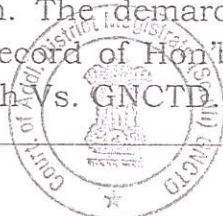
Sudhakar
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hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.

- That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
 - That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as ***Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386*** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: ***"The Restriction on the de-reservation of forests or use of forest land for non-forest purpose."***
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 188 is not recorded in the name of applicant/petitioner.



6. Case was heard in detail and was reserved for order. After considering report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner and the respondent, the following are the observations: -
- a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
 - b. Upon consideration of the material on record, this Court notes that the applicants had submitted that the property falls within Khasra Nos. 188 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The applicant is not the recorded owner of Khasra No. 188 and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
 - d. The applicants have failed to produce any conclusive and legally admissible evidence to substantiate their claim of the land falling exclusively in Khasra No. 188 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.



Sudhakar
07/5/26

7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 188 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale executed in the year 2016.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant(s) is neither the recorded owners of Khasra No. 188 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
07/5/26

(SUDHAKAR)
**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

To,

1. Smt. Kalpana W/o Mr. Rajeev Gulati, R/o D-31, Flat no. 1, Upper Ground Floor, Paryavaran Complex, IGNOU Road, Saidulajaib Village, Tehsil Saket, New Delhi - 110030;
2. Smt. Nirmal Sethi w/o Sh. S. B. Sethi R/o D-31, Flat no. 2, Upper Ground Floor, Paryavaran Complex, IGNOU Road, Saidulajaib Village, Tehsil Saket, New Delhi - 110030;
3. Smt. Neelu Lama W/o Mr. Tama Singh Lama R/o D-31, flat no. 1, first floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;

4. Sh. Gauri Shankar Tyagi S/o Sh. S.K. Tyagi R/o D-31, flat no. 2, first floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
5. Sh. Varun Kathuria S/o Sh. Chander Mohan Kathuria R/o D-31, flat no. 1 second floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi- 110030;
6. Sh. Dharam Singh S/o Sh. Vijay Singh R/o D-31, flat no. 2. second floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
7. Sh. Harsh Kathuria S/o Sh. Chander Mohan Kathuria R/o D-31, flat no. 1, third floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
8. Sh. Harsh Bedi So Late Sh. Inder Singh Bedi R/o D-31, flat no. 2 third floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
9. Sh. Jai Shankar R/o D-31, top floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
10. Amit Kumar R/o D-31, ground floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi-110030;
11. Smt. Deepti Batra W/o Sh. Devender Batra R/o D-31, flat no. 1, ground floor, Paryavaran Complex, IGNOU road, Saidulajaib Village, Tehsil Saket, New Delhi- 110030
12. The Dy. Conservator of Forest (South), 1, karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



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(SUDHAKAR)

ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

F. No. Reader/ADM(S)/Forest Matter/2026/386-87 Dated: - 07/05/2026

Case No.	27/2025
Petitioner/Applicant	D. C. Garg & Anuj Garg
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No.	207 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicants Sh. D. C. Garg and Sh. Anuj Garg R/o D-39 and D-40, D-Block, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030; in respect of land bearing Khasra No.207 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the petitioner:

- Declare that my property (D-39, D-40, D-Block, Paryavaran Complex lies within Khasra no. 207 and is not covered under the impugned notice relating to Khasra no. 209.
- Quash and set aside the demolition notice dated 27.03.2025 as being arbitrary, unlawful and issued without jurisdiction.
- Pass any such further or other orders as this Ld. Authority may deem fit in the interest of justice.

3. The submissions / contentions of the petitioner / applicant are as follows:

- That the applicants are the rightful and lawful occupant of property bearing no. D-39 & D-40, D-Block, Paryavaran Complex, Village Saidulajaib, New Delhi, situated in Khasra no. 207. That I have been in peaceful possession of the aforesaid property for the last 31st Years.
- It is further submitted that the applicants have been in peaceful possession of the property in question over the past thirty-one years and have been regularly paying MCD property taxes and other dues to the statutory authorities.

It is contended by the applicants that no proper demarcation or physical verification has been carried out to ascertain whether the said land falls within any notified forest area. Further that no officials demarcation, physical verification or GIS mapping has ever been

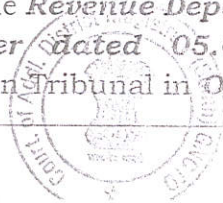


shared with the applicants till date. The revenue map hosted on the GSDL portal clearly demarcates Khasra no. 207 as distinct from Khasra no. 209.

- It is respectfully submitted that the Hon'ble High Court in W.P. (C) No. 4699/2025 directed that no coercive steps be taken and that the demarcation report be supplied. However, due to non-supply of the said report despite order dated 15.04.2025, the present representation remains limited in scope. The petitioner/applicant is thus constrained in placing a complete case and reserves the right to file additional facts, documents, and submissions upon receipt of the report or grant of further opportunity.

4. The relevant submissions / contentions made by the Forest Department are as under: -

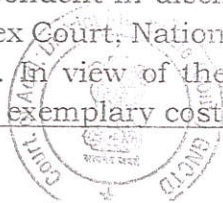
- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-39 & D-40, D-Block, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:
 - a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh**



v. GNCTD & Ors., under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.

d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as "*Sonya Ghosh versus GNCTD, OA no. 58/2013*". As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.

- Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.
- That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
- That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as *Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386* but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
- That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: "*The Restriction on the de-reservation of forests or use of forest land for non-forest purpose.*"
- It is submitted that the present application has been filed with *malafide* intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.



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5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 207 is also recorded as Gram Sabha Land.
6. Case was heard in detail and was reserved for order. After considering report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner and the respondent, the following are the observations: -
 - a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
 - b. Upon consideration of the material on record, this Court notes that the applicant had not submitted any document in r/o his claim of ownership. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The recorded owner of Khasra No. 207 is Gram Sabha and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
 - d. The applicants have failed to produce any conclusive and legally admissible evidence to substantiate their claim of the land falling exclusively in Khasra No. 207 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.



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7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 207 and the Khasra No. 209 is recorded in the favor of Forest Department. No ownership documents have been filed by the applicant(s) till date.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant (s) is neither the recorded owners of Khasra No. 207 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
07/05/26

(SUDHAKAR)

ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH

To,

1. Sh. D. C. Garg and Sh. Anuj Garg R/o D-39 and D-40, D-Block, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



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(SUDHAKAR)

ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

F. No. Reader/ADM(S)/Forest Matter/2025/ 42-49 Dated: - 07/05/2025

Case No.	13/2025
Petitioner/Applicant	B C Sarkar & Ors.
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No.	206, 207, 208 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicants:

- (i) Mr. B. C. Sarkar s/o Sh. Sahadev Sarkar R/o D-38, Second Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 and
 - (ii) Mr. Sohail Rahman s/o Sh. Shaikh Hafizur Rehman R/o D-38, Third Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030
- in respect of land bearing Khasra No. 206, 207, 208 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the petitioner:

- To allow the representations filed by the applicants and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicants;
- Pass the order for fresh physical demarcation of Khasra no. 209 and 206, 207 and 208 of Village Saidulajaib, New Delhi in the presence of the applicants by following mandatory procedure mandated under law.
- Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

3. The submissions / contentions of the petitioner / applicant are as follows:

- That the Petitioners Applicants are the owner of the property bearing no. D-38, Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. Their title to the above-mentioned property stands



*Justice
R. K. Legal*



S. K. Legal
13/5/25

upon an Agreement to Sell and General Power of Attorney executed on 20th July 1999.

- It is contended by the petitioners that on 20th July 1999, they entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 206, 207 and 208 Village Saidulajaib, New Delhi. Since the said date, the petitioners / applicants have remained in open, continuous, peaceful, and undisturbed possession of the property.
- It is further submitted that over the past three decades, the applicants have invested considerable time and resources in maintaining and improving the property, including structural repairs, interior fittings, and external finishing, while regularly discharging statutory obligations such as payment of municipal dues, electricity, and water charges. It is submitted by the applicants that no authority has ever disputed her possession or initiated any action for eviction.
- It is submitted that, in order to remove any ambiguity regarding the boundary between the private land and the adjoining forest land bearing Khasra No. 209, Village Saidulajaib, New Delhi, a permanent wire-mesh fence was erected along the southern periphery of Khasra No. 209 around the year 1990 and has since been duly maintained. The fence constitutes a clear and continuous physical demarcation separating the applicants' property in Khasra No. 206, 207 and 208 from the adjoining forest land. Visible on site for decades, it evidences their lawful title and peaceful possession. This longstanding boundary confirms that the said property is distinct from Khasra No. 209.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is again contended that in *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the Hon'ble National Green Tribunal held that forest boundary determination must be based on reasoned, field-verified demarcation and not solely on GIS or aerial imagery. The Tribunal emphasized that statutory procedures under Section 101 of the Punjab Land Revenue Act, 1887 require consent-based triangulation using fixed ground reference points. The Forest Department's reliance only on satellite data, without field



verification or landowner consent, was held improper. Such deviation risks wrongful classification of private land as forest.

- That it is further contended by the applicants that the applicants along with their predecessors, have been in uninterrupted possession of the property in Khasra Nos. 206, 207 and 208, Village Saidulajaib, since 1954, with boundaries clearly demarcated by a wire-mesh fence established prior to 1995. The said fencing serves as a visible distinction from the adjoining forest land. The Forest Department's reliance solely on GSDL aerial mapping, without any on-ground verification, is a procedural lapse. Such an approach undermines the accuracy of encroachment claims against the said property.
- That it is contended by the applicants that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 206, 207 and 208. The issuance of such notice to the applicants, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- It is submitted that the notice dated 27.03.2025 suffers from serious procedural lapses, as it fails to specify the alleged encroachments and provides no supporting demarcation details such as maps or measurements. No proper show – cause opportunity was given to the applicants, depriving them from the chance to present relevant documents. This violates the principle of *audi alteram partem* and established norms of administrative fairness. Consequently, the notice lacks legal clarity and fails to meet the requirements of due process.
- That it is submitted by the applicants that faced with ambiguity in demarcation and threat of demolition, the applicant approached the Hon'ble High Court of Delhi in W.P.(C) No. 4695/2025. By order dated 15.04.2025, the Hon'ble High Court of Delhi directed supply of the demarcation report and permitted the applicants to file objections before the Forest Settlement Officer for adjudication by a speaking order. The Hon'ble Court also restrained the Forest Department from taking demolition action until such proceedings are concluded. This ensured protection of the applicant's property from irreversible harm pending due process.
- That it is submitted by the applicants that the Forest Department's authority is limited to Khasra No. 209 (forest land), and its actions



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concerning Khasra Nos. 206, 207 and 208 exceed its legal mandate, as these are distinct private properties. Proper determination of encroachment requires a detailed, on-ground demarcation process. However, reliance solely on GSDL aerial imagery, without field verification, renders the allegations speculative and legally unsustainable.

- Further that the demolition action is premature and arbitrary, particularly as the property forms part of the Paryavaran Complex, which has been under consideration for regularization since 2018, and such action undermines the objective of protecting bona fide occupants. Moreover, the purported demarcation is illegal, having been conducted without prior notice, inquiry, or participation of the Applicant, and in violation of the Delhi Land Revenue Act, 1954 and Rules, 1962. The property has been wrongly identified as Khasra No. 209 without lawful basis, and any eviction or demolition would cause severe hardship to the Applicant and her elderly family members.
- That it is submitted that the demarcation of Khasra Nos. 206, 207, 208 and 209 of Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

4. The relevant submissions / contentions made by the Forest Department are as under: -

- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-38, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:

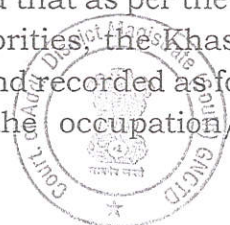
- a. That notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994 was issued under Section 4 of the Indian



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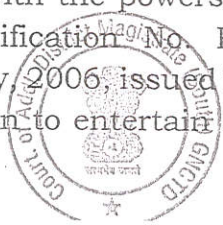
Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.

- b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.
 - d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as "**Sonya Ghosh versus GNCTD, OA no. 58/2013**". As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.
 - That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land



constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.

- That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as ***Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386*** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: ***"The Restriction on the de-reservation of forests or use of forest land for non-forest purpose."***
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village Saidulajab has already been carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 206, 207 & 208 are also recorded as Gram Sabha Land.
6. Case was heard in detail and was reserved for order. After considering the report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner / applicant and the respondent, the following are the observations: -
- a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings

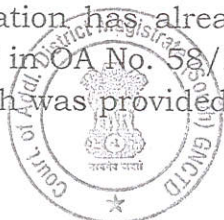


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squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.

- b. Upon consideration of the material on record, this Court notes that the applicants had submitted that the property falls within Khasra Nos. 206, 207 and 208 of Village Saidulajaib, on the basis of their SPA/GPA/Agreement to Sale dated 20.07.1999. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The recorded owner of Khasra No. 206 is Gram Sabha, for Khasra no. 207 is Gram Sabha and for Khasra No. 208 is Gram Sabha and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
 - c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
 - d. The applicants have failed to produce any conclusive and legally admissible evidence to substantiate their claim of the land falling exclusively in Khasra No. 206, 207 and 208 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.
7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 206, 207 & 208 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale dated 20.06.1999.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.



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- c. Since, the applicant (s) is neither the recorded owners of Khasra No. 206, 207 & 208 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar
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(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

To,

1. Mr. B. C. Sarkar s/o Sh. Sahadev Sarkar R/o D-38, Second Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
2. Mr. Sohail Rahman s/o Sh. Shaikh Hafizur Rehman R/o D-38, Third Floor, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030.
3. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



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(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**



**IN THE COURT OF FOREST SETTLEMENT OFFICER
REVENUE DEPARTMENT: DISTRICT - SOUTH
GOVT. OF NCT OF DELHI
M.B. ROAD: SAKET: NEW DELHI-110068**

F. No. Reader/ADM(S)/Forest Matter/2026/433-34 Dated: -07/05/2026

Case No.	20/2025
Petitioner/Applicant	Ambujaksh Bhardawaj
Respondent	Deputy Conservator of Forest, South
Claim Under the Section/Act	The Indian Forest Act, 1927
Khasra No.	188 & 209 Village Saidulajaib

ORDER

By this Order, I shall dispose of the application filed by the applicant Mr. Ambujaksh Bhardawaj s/o Sh. Surendra Kumar, R/o D-30, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 in respect of land bearing Khasra No.188 & 209 of Village Saidulajaib, New Delhi.

2. The following are the prayers/reliefs sought by the petitioner:

- Allow the application / representations filed by the applicant and set-aside/quash the alleged notice dated 27.03.2025 issued by the forest department to the applicant;
- Issue necessary directions against the Respondents thereby restraining them from carrying out any further encroachment over the land belonging to the Applicant in Property bearing no. Property no. D-30, Khasra no. 188, Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi;
- Pass any other order / direction in favour of the applicant & against the respondents.

3. The submissions / contentions of the petitioner / applicant are as follows:

- That the Petitioner / Applicant is the co-owner of the property bearing no. D-30, measuring 200 sq. yds. Located in Khasra no. 188, Paryavaran Complex, Saidulajaib Village, Tehsil Saket, New Delhi. His title to the above-mentioned property stands upon an Agreement to Sell and General Power of Attorney executed on 06th December 2018.

It is contended by the petitioner that on 06th December 2018, he entered into an Agreement to Sell and General Power of Attorney, thereby acquiring clear title over the property situated in Khasra No. 188, Village Saidulajaib, New Delhi. Since the said date, the petitioner



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/ applicant has remained in open, continuous, peaceful, and undisturbed possession of the property.

- Further contended that the Applicant and previous owners have been in peaceful, continuous possession of the property for over thirty (30) years, with all dues such as house tax duly paid, and supporting documents including the chain of ownership, Khatauni, tax receipts, electricity bills, and photographs annexed. However, on 01.04.2025, a demolition notice dated 27.03.2025 was affixed by the Respondent / Forest Department directing encroachers on Khasra No. 209, Village Saidulajaib, New Delhi, to vacate alleged forest land within 15 days, failing which demolition would follow. The said notice has been erroneously served upon the Applicant's property situated in Khasra No. 188, which is distinct and has been under settled possession for decades. The notice further fails to specify the extent or area of alleged encroachment and appears to have been issued arbitrarily and with mala fide intent, causing unwarranted interference and potential financial loss to the Applicant.
- That in the year 1990, a wire mesh fence was erected along the southern periphery of Khasra No. 209 and has since been maintained by the Forest Department. The said boundary clearly demarcates the limits of the forest land from the adjoining private lands, including the land of the Applicant.
- That it is submitted by the applicant that the official revenue map of Saidulajaib Village, available on the government's portal at https://gsdl.org.in/revenue_map, clearly shows that the property in question lies entirely within Khasra No. 188 and not Khasra No. 209, as erroneously stated by the Respondents in the demolition notice dated 27.03.2025. The map distinctly delineates the boundaries of Khasra Nos. 188 and 209, unequivocally confirming that the Applicant's property falls outside the area referenced in the notice. This public record highlights the arbitrary and mistaken basis of the Respondents' actions.
- It is further contended that, in recognition of Paryavaran Complex as an unauthorized colony, an application for its regularization was submitted to the Delhi Development Authority/Land & Development Office in 2018, which is presently under consideration. The said application reflects the long-standing and bona fide nature of the applicant's occupancy.
- It is again contended that in *Sonya Ghosh vs. Government of NCT of Delhi* (OA No. 58/2013), the National Green Tribunal held that forest boundary determination must be based on reasoned, field-verified demarcation and not solely on GIS or aerial imagery. The Tribunal emphasized that statutory procedures under Section 101 of the Punjab Land Revenue Act, 1887 require consent-based triangulation using



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fixed ground reference points. The Forest Department's reliance only on satellite data, without field verification or landowner consent, was held improper. Such deviation risks wrongful classification of private land as forest.

- That it is further contended by the applicant that the applicant along with his predecessors, have been in uninterrupted possession of the property in Khasra Nos. 188, Village Saidulajaib, since 1954, with boundaries clearly demarcated by a wire-mesh fence established prior to 1995. The said fencing serves as a visible distinction from the adjoining forest land. The Forest Department's reliance solely on GSDL aerial mapping, without any on-ground verification, is a procedural lapse. Such an approach undermines the accuracy of encroachment claims against the said property.
- That it is further submitted that this procedural lapse is evident from the notice dated 27.03.2025 issued by the Forest Department for removal of alleged encroachments in Khasra No. 209, Village Saidulajaib, New Delhi. The said notice, requiring occupants to vacate within fifteen days under threat of demolition, was erroneously extended to include Khasra No. 188. The issuance of such notice to the applicant, without any prior verification or concrete basis, reflects a significant administrative lapse. This action is arbitrary and unsustainable in law.
- It is submitted that the notice dated 27.03.2025 suffers from serious procedural lapses, as it fails to specify the alleged encroachments and provides no supporting demarcation details such as maps or measurements. No proper show-cause opportunity was given to the applicant, depriving her of the chance to present relevant documents. This violates the principle of audi alteram partem and established norms of administrative fairness. Consequently, the notice lacks legal clarity and fails to meet the requirements of due process.
- That it is submitted by the applicant that, faced with ambiguity in demarcation and threat of demolition, the applicant approached the Hon'ble High Court of Delhi in W.P.(C) No. 4698/2025. By order dated 15.04.2025, the Court directed supply of the demarcation report and permitted the applicant to file objections before the Forest Settlement Officer for adjudication by a speaking order. The Court also restrained the Forest Department from taking demolition action until such proceedings are concluded. This ensured protection of the applicant's property from irreversible harm pending due process.
- That it is contended by the applicant that the Forest Department's authority is limited to Khasra No. 209 (forest land), and its actions concerning Khasra Nos. 188 exceed its legal mandate, as these are distinct private properties. Proper determination of encroachment requires a detailed, on-ground demarcation process. However, reliance



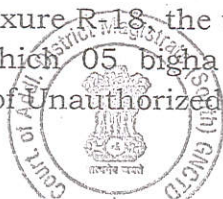
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solely on GSDL aerial imagery, without field verification, renders the allegations speculative and legally unsustainable.

- That it is submitted that the demarcation of Khasra Nos. 188 and 209, Village Saidulajaib, New Delhi, ought to have been conducted strictly in accordance with the Massavi and by superimposing the relevant Aks-Sizra, along with established reference points as mandated under law. However, the prescribed procedure has not been followed in the present case. This has resulted in an erroneous demarcation and a boundary dispute between two distinct khasra numbers.

4. **The relevant submissions / contentions made by the Forest Department are as under: -**

- That it is contended by the Forest Department that the applicant has not approached this Ld. Court with clean hands and has abused the process of law by filing a meritless application with malafide intent, lacking any credible proof of ownership.
- That it is submitted by the Forest Department that the land in question i.e., D-30, Paryavaran Complex, IGNOU road Saidulajaib Village Tehsil Saket, New Delhi - 110030 is situated at Khasra no. 209 of Village Saidulajaib, New Delhi. Further that Khasra no. 209 (19-0) falls within the boundary description of a land duly notified as reserved forest under Section 4 of the Indian Forest Act, 1927. The documents which show that the land in question is a forest land are as follows:
 - a. That **notification no. F.10(42)-1/PA/DCF/93/2012-17(1) dated 24.05.1994** was issued under Section 4 of the Indian Forest Act, 1927, whereby all forestlands and wastelands which was the property of the government and over which government had proprietary rights, falling within the boundaries as specified in Schedule A of the notification were declared as Reserved Forest.
 - b. That **notification No. F.1(29)/PA/DC/95 dated 02.04.1996** was duly issued by the Lt. Governor, NCT of Delhi, in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954, whereby the uncultivated Gaon Sabha lands specified in Column III of the table and detailed in Annexures 'A' to 'N', situated in the Southern Ridge and pertaining to the villages mentioned in Column II, were declared as surplus land and placed at the disposal of the Forest Department, GNCTD. It is pertinent to submit that under Annexure 'M' to the said notification, Khasra No. 209 (19-0) of Village Saidulajaib is specifically included.
 - c. That as per the **Revenue Department affidavit** filed by **Divisional Commissioner dated 05.04.2019** filed before the Hon'ble National Green Tribunal in **OA No. 58/2013 titled 'Sonya Ghosh v. GNCTD & Ors.'**, under Annexure R-18, the total area of Khasra no. 209 is 19 Bigha out of which 05 bigha and 11 biswa is shown as encroached in form of Unauthorized Colony.



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- d. That the Khasra in question is also shown as encroached in the demarcated map filed by Revenue Department before the Hon'ble National Green Tribunal as Annexure R-2 (Colly.) in the matter titled as "**Sonya Ghosh versus GNCTD, OA no. 58/2013**". As per the demarcated maps, the said land as claimed by the applicant falls squarely within the boundaries of the Reserved Forest under Section 4 of the Indian Forest Act, 1927.
- Further submitted that the Forest Settlement Officer i.e., this Ld. Court derives jurisdiction strictly under the Indian Forest Act, 1927 and can adjudicate only matters contemplated thereunder. The Khasra in question has been placed at disposal of Forest Department for creation of Reserved Forest vide notification no. F.1(29)/PA/DC/95 dated 02.04.1996 issued under the Delhi Land Reforms Act, 1954, and not under the Indian Forest Act; hence, this Ld. Court lacks jurisdiction to examine or modify the same. The application is therefore misconceived and not maintainable for want of jurisdiction.
 - That it is submitted that as per the demarcation report received from the Revenue Authorities, the Khasra number in question has been clearly identified and recorded as forest land. The said report further establishes that the occupation/possession over the said land constitutes an encroachment upon forest land. The findings of the competent Revenue Authority which has been arrived at after due demarcation, conclusively establishes the nature and status of the land and leave no ambiguity regarding its classification as forest land.
 - That it is important to note here that the notification dated 02.04.1996 was challenged before the Hon'ble High Court of Delhi in the case titled as **Bhagat Singh & Ors. versus Union of India & Anr., (2010) SCC OnLine Delhi 2386** but the same was rejected by the Division Bench of the Hon'ble High Court of Delhi.
 - That Section 2 of the Forest (Conservation) Act, 1980, clearly states that: "**The Restriction on the de-reservation of forests or use of forest land for non-forest purpose.**"
 - It is submitted that the present application has been filed with malafide intent, as a calculated attempt by the applicant to encroach upon and take over land lawfully vested in the answering respondent and duly notified as forest land. The application appears to be a means to unlawfully expand her holdings and derive undue benefit. It is further submitted that the same is intended to obstruct and impede the answering respondent in discharge of its official duties as directed by the Hon'ble Apex Court, National Green Tribunal, and the Hon'ble High Court of Delhi. In view of the above, the application deserves to be dismissed with exemplary costs.
5. During the course of hearing, it was submitted that the demarcation of these 13 villages including the village, Saidulajab has already been



carried out in OA No. 58/2013 titled Sonya Ghosh Vs. GNCTD. Further, as per report of Tehsildar, the Khasra No. 209 is recorded as Gram Sabha/Forest Land and Khasra No. 188 is not recorded in the name of applicant/petitioner.

6. Case was heard in detail and was reserved for order. After considering the report received from the Revenue Authority i.e., Tehsildar (Chhatarpur), documents placed on file and submissions made by the petitioner / applicant and the respondent, the following are the observations: -

- a. That the undersigned, in the capacity of Forest Settlement Officer, is the duly competent authority to adjudicate the present matter. The Forest Settlement Officer / Additional District Magistrate has been vested with the powers of the Forest Settlement Officer by virtue of Notification No. F.10(42)-I/PA/DCF/93/11/181-198 dated 10th May, 2006, issued in accordance with law. Accordingly, the jurisdiction to entertain and decide the present proceedings squarely lies with this authority, and the same is being exercised within the statutory framework of the Indian Forest Act, 1927.
- b. Upon consideration of the material on record, this Court notes that the applicant had submitted that the property falls within Khasra No. 188 of Village Saidulajab, on the basis of their SPA/GPA/Agreement to Sale. However, the Forest Department has placed on record statutory notifications, revenue records, and the demarcation report prepared by the competent authority. The perusal of documents of applicants reveals that they are unregistered documents which cannot be treated as an evidence of ownership. Further, the revenue record shows that Khasra No. 209, village Saidulajab is a part of Notification No. F1(29)/PA/DC/95 dated 02.04.1996. The applicant is not the recorded owner of Khasra No. 188 and for Khasra No. 209 the recorded owner is as Forest Department. Nowhere, in the revenue records, the ownership of the applicant is reflected.
- c. Further that the report submitted by the concerned Tehsildar clearly establishes that Khasra No. 209 is forest land, duly notified under the relevant provisions of law. Further, the material placed on record, including notifications dated 24.05.1994 and 02.04.1996, supports the stand of the Forest Department that the land forms part of the notified forest area.
- d. The applicant has failed to produce any conclusive and legally admissible evidence to substantiate his claim of the land falling exclusively in Khasra No. 188 or to rebut the official demarcation. The demarcation has already been conducted and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD.



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7. Thus, in view of the above, I, Sudhakar, Forest Settlement Officer, is of the considered view that: -

- a. After perusing all the documents on record thoroughly, this Court holds that the petitioner is not the legally recorded owner of the land of Khasra No. 188 and the Khasra No. 209 is recorded in the favor of Forest Department. The ownership claim is based upon unregistered documents i.e., GPA/SPA/Agreement to Sale dated 06.12.2018.
- b. The demarcation has already been carried and is on record of Hon'ble NGT in OA No. 58/2013, Titled Sonya Ghosh Vs. GNCTD copy of which was provided to the applicant(s) during the course of hearing.
- c. Since, the applicant(s) is neither the recorded owners of Khasra No. 188 nor of Khasra No. 209 as mentioned in their documents, therefore, there is no ground to challenge the demarcation report.
- d. The present application, being devoid of merit and filed without any cogent proof, is liable to be dismissed. Accordingly, the application is dismissed.

It is announced in the open Courts & given under my hand & seal of this court on this 7th day of May, 2026.



Sudhakar

(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**

To,

1. Mr. Ambujaksh Bhardawaj s/o Sh. Surendra Kumar, R/o D-30, Paryavaran Complex, Saidulajaib Village, New Delhi - 110030 .
2. The Dy. Conservator of Forest (South), 1, Karni Singh Marg, Shooting Range, Tuglakabad, Delhi - 110044.



Sudhakar

(SUDHAKAR)

**ADDITIONAL DISTRICT MAGISTRATE/
FOREST SETTLEMENT OFFICER,
DISTRICT SOUTH**