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% 31.03.2003

Present : Mr. Vinod Kumar, Advocate for the petitioner.
Mr. Sanjay Poddar, Advocate for the respondent Nos. 2 and 3.
Mr. Vibhu Shankar, Advocate for the respondent No. 4 / DDA.

+ CWP No. 1720/2000

* After some hearing, it is noticed that there is a dispute about exact location of the place where the wall is being constructed by the respondent No. 4 - DDA. The contention of the petitioner is that the wall is being constructed on the land of the petitioner, while the respondent No. 4 submits that the wall is being constructed in a different khasra No., which vest with the DDA and the land having been acquired.

Learned counsel for the petitioner has referred to the challan (Annexure P- 9) deposited with the Tehsildar for demarcation of the land.

In view of the aforesaid, I am of the considered view that the only directions to be issued in the present writ petition is to direct the respondent No. 3 to carry out demarcation of the area in question. In order to avoid any further delay, it is directed that a fresh application be made by the petitioner within a period of one week to SDM of the area concerned and on such application being made, a demarcation shall be carried out at site by the competent authority after giving advance notice to the petitioner and the DDA. The needful shall be done within a maximum period of 3 months from the date of the application of the petitioner for demarcation.

Needless to say that if any of the parties are aggrieved by the final adjudication in respect of the demarcation, it is open to the parties to take steps in accordance with law to impugn the said demarcation.

The writ petition stands disposed of in the aforesaid terms.

Signature Not Verified

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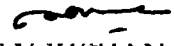
CWP No. 1720/2000

CM Nos. 2984/2001 & 1709/2003

No further orders are called for in these applications in view of the orders passed in the writ petition.

Applications stand disposed of.

March 31, 2003
am


SANJAY KISHAN KAUL, J

- 4 Fresh CMS 16834/12 - Direction
- 16835/12 - Direction
- 16836/12 - Direction
- 16837/12 - Amendment
of
Memo of Parties
- Petition already disposed