

**Darshna Vs. State of Delhi and anr.**

**Darshna Vs. State of Delhi and anr.**

**SooperKanoon Citation :** [sooperkanoon.com/1161301](http://sooperkanoon.com/1161301)

**Court :** Delhi

**Decided On :** Aug-12-2014

**Judge :** Suresh Kait

**Appellant :** Darshna

**Respondent :** State of Delhi and anr.

**Judgement :**

§~13 \* IN THE HIGH COURT OF DELHI AT NEW DELHI Judgment delivered on:12th August, 2014 + W.P.(C) 5103/2013 DARSHNA ..... Petitioner Represented by: Mr.Hemant Gupta, Advocate. Versus STATE OF DELHI AND ANR. Represented by: ..... Respondents Ms.Sangeeta Sondhi, Mr.Ajay Sondhi and Mr.Sanjeev Narula, Advocates. Mr.Ravinder Narwal, Advocate for Intervener. CORAM: HONBLE MR. JUSTICE SURESH KAIT SURESH KAIT, J.

(Oral) W.P.(C) 5103/2013 1. Vide the present petition, the petitioner is seeking directions against the respondents not to demolish and take forcible possession of any part of the property/land, measuring 3 Bighas 60 Biswas out of Khasra Nos.10/10 (2-10), 10/11/3(o-3) and 10/12/1 (o-13), situated in the Revenue Estate of Village Mohammadpur Mazri, Delhi, which was purchased from Sh. Satbir Singh after obtaining NOC from the office of the Deputy Commissioner concerned.

2. Being aggrieved, petitioner made a representation on 10.08.2003 to the BDO (North-West), Kanjhawala, Delhi.

3. Since in the impugned notice dated 05.08.2013 only two days time was given to the petitioner to remove the encroachment, therefore, filed the present petition.
4. Vide order dated 14.08.2013, this Court directed not to take coercive action against the petitioner.
5. I note, notice has not been issued in the instant petition.
6. Admittedly, the representation dated 10.08.2013 has not been decided by the BDO.
7. In view of the facts averred in the petition and the submissions made by the learned counsel for the petitioner, I direct the BDO (NorthWest), Kanjhawala, Delhi, to decide the petitioners representation dated 10.08.2013 within a period of two weeks from today. The decision taken by the BDO shall be communicated to the petitioner within one week thereafter.
8. The interim protection granted by this Court vide its order dated 14.08.2013 shall remain in force for fifteen days after communication of the decision to be taken by the aforesaid BDO to the petitioner.
9. I here make it clear that if the petitioner is still aggrieved with the decision of the Authority, he may approach the appropriate Forum as per law.
10. The instant petition is allowed on the above terms.
11. No orders as to costs. CM Nos. 11497/2013, 14416/2013 With the disposal of the petition itself, both these applications have become infructuous. The same are accordingly dismissed. A copy of this order be given dasti to the learned counsel for the parties under the signature of the Court Master. SURESH KAIT (JUDGE)  
AUGUST12 2014 sb