

**Case Nos. 138, 139, 140, 141, 142, 143, 144, 145, 146, 147,
148, 149, 150, 151, 152, 153, 154, 155, 156, 165 and 96A of
2011**

03.07.2014

Present : Shri Anuj Saini, Counsel for the Petitioners.
 : Shri Mukesh Bhardwaj, Counsel for the
 Respondent, G.S.

1. Since common points are involved in all the above noted 21 cases, common arguments have been heard.
2. Both the parties were heard exhaustively.
3. Counsel for the petitioner argued that as the land in question falls within the old Lal Dora (1908-09). Therefore, RA/SDM cannot proceed under section 86A of DLR Act. But this Court does not agree with the argument as there may be common public utility land within the Lal Dora also.
4. Further, Counsel for the petitioners argued that the impugned order was passed ex-parte and opportunity was not given to the petitioners.
5. Considering the arguments, fact and record available, all the matters are remanded back to the RA/SDM with the direction to hear afresh giving effective hearing/opportunity to the petitioners herein, and to pass a speaking order as soon as possible preferably within 6 months from the date of order.
6. File be consigned to record room after completion.

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(D.M. Spolia)
Financial Commissioner
Delhi