

Case No. 173/2012

Om Prakash Vs. Gaon Sabha Khera Kalan & Anr.

01/07/2014.

Present : Sh. V.P. Rana, Counsel for the Petitioner
Sh. Ravinder Singh, P.S. for R-1, Gaon Sabha.

1. Matter heard at length. Counsel for the petitioner challenged the conditional order u/s 81 of DLR Act passed by RA/SDM, stating that procedure prescribed under the Act has not been followed by the Ld. Lower Court before passing the impugned order. Moreover, a single notice has not been issued to the petitioner before passing the impugned order.
2. As, only conditional order has been issued in the matter by RA/SDM and the same has been challenged by the petitioner, the matter is remanded back to the RA/SDM concerned with the direction to hear the matter afresh and to give Sh. Om Prakash, the petitioner, a reasonable opportunity to put up his case.
3. The RA is further directed to pass a speaking order after following the due process under the law. The petition stands disposed of with the aforesaid directions.
4. File be consigned to Record Room after completion.

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(D.M. SPOLIA)

Financial Commissioner, Delhi.