

Sh. Ranbir Singh & Ors. Vs Sh. Raj Singh

11.2.2014

Present : Shri Vikesh Rathi, Counsel for the Appellants

The Appellants have filed present appeal aggrieved by the order of Collector(North West) referring this matter to SDM (Narela) under section 23 of Delhi Land Revenue Act, 1954.

Brief facts of the case are that Tehsildar, Narela on the application of the appellants, sanctioned mutation in their favour vide order dated 18.7.2005. Aggrieved by the above order of mutation, respondents (alleged purchaser) move Collector(NW) in appeal. Collector, vide impugned order allowed the appeal of respondents and set aside the order of Tehsildar. Collector also referred the matter to SDM (Narela) for proper adjudication under section 23 of Delhi Land Revenue Act, 1954.

Heard the Counsel of appellants in detail. On a pointed query that "what harm would come to him if the matter be heard and decided by the SDM under section 23 and what is the necessity of his approaching this Court instead of presenting his case before SDM", the Counsel is unable to explain.

In view of the facts and circumstances of the case and without going into the merits, this appeal is dismissed *in limine* with direction to appellant to present his case before SDM(Narela)

File be consigned to record room after completion.

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**Financial Commissioner  
Delhi**