

Case No. 96/2014
Sh. Jagdish & Ors. Vs. Gaon Sabha Village-Kharkhari
Jatmal & Anr.

01.07.2014

Present : Sh. Pradeep Kumar Gupta, Counsel for the Appellant.

Sh. S.S. Dalal, Counsel for the R-1.

1. Counsel for appellant, Sh. Pradeep Kumar Gupta heard in detail who informed that appellant's father was a land less person and allotted Gaon Sabha land under 20 point programme bearing Khasra no. 35/17 (4-16) in the revenue estate of village Kharkhari Jatmal.
2. Later on, appellant filed an application before the RA/SDM, Kapashera for Bhumidhari rights under section 74 (4) of DLR Act, 1954 who dismissed the same vide order dated April 03, 2013.
3. Aggrieved by the order dated April 03, 2013 of SDM/RA, appellants filed an appeal before the Deputy Commissioner (SW) who upheld the order of SDM/RA in its totality vide his order dated May 12, 2014, impugned order herein.
4. Order of the Dy. Commissioner (SW) also studied.
5. Further, Counsel for the appellant submitted that the present case is different from the other cases disposed of by Deputy Commissioner (SW) vide his order dated May 12, 2014 as the appellant is not related to the Pradhan and is indeed Harijan as well as landless.
6. During the hearing, Counsel for the appellant was asked to produce any documentary evidence regarding the authenticity of the allotment document under 20 point programme, but the Ld. Counsel could not produce any documents in support of his claim.

7. In view of the above, I do not find any merit to admit the present appeal. Therefore the same is dismissed.
8. File be consigned to record room after completion.

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(D.M. Spolia)
Financial Commissioner
Delhi.