

Case No. 166 of 2023

**Balbir Singh
Vs.
Consolidation Officer (Kapashera)**

26.09.2023

Present : None for Petitioner/Restoration applicant.
: None for Respondent.

1. None appeared for the Petitioner/Restoration applicant. This is a restoration application and petitioner has not been appearing since the initiation of the proceedings of restoration petition. It is clearly seen that the petitioner is not very desirous to continue with the proceedings.
2. Accordingly, the case bearing no. 166/2023 is dismissed for non-pursuance.
3. File be consigned to record room after completion.

**(CHETAN B. SANGHI)
Financial Commissioner
Delhi**

Case No. 109 of 2023

**Ram Kumar
Vs.
Rajender Rana & Ors.**

26.09.2023

Present : None for Contempt Petitioner.

: Shri Deepchand, brother of applicant Sh. Sultan Singh.
: Shri Vikas, Reader to DM (North) for Respondent.

1. None appeared for the Contempt Petitioner. On the last date of hearing, this court directed to the petitioner to clarify as to how the proceedings can continue post urbanization and petitioner has not appeared and clarified the same. It is clearly seen that the Petitioner is not very keen to continue with the matter.
2. Accordingly, the case bearing no. 109/2023 is dismissed for non-pursuance.
3. File be consigned to record room after completion.

**(CHETAN B. SANGHI)
Financial Commissioner
Delhi**

Case No. 160 of 2023

26.09.2023

Present : Shri Dutt Bajaj, Petitioner in person.
: Shri Keshav Shukla, R-2 in person.

1. Petitioner could not be represented by his counsel and requested for a short adjournment. Allowed.
2. Adj. to 12.10.2023.

**Financial Commissioner
Delhi**

After the regular court proceedings, Shri Vinod Kumar, Counsel for Petitioner appeared and requested for marking his presence. This was noted.

**(CHETAN B. SANGHI)
Financial Commissioner
Delhi**

Case No.267 of 2023

M/s. Tanishq Estate Pvt. Ltd. Vs. Praveen Jain & Ors.

26.09.2023

Mentioned today by Shri V. P. Rana, Ld.Counsel for Appellant, an appeal under Section 185 of the Delhi Land Reforms Act, 1954.

1. The present second appeal is filed by the appellant being aggrieved by the impugned orders dated 21.08.2023 passed by the Ld.Deputy Commissioner(South West), Delhi. The Ld.Deputy Commissioner through the common impugned orders decided three appeals bearing No.01/01/2020, 01/11/2021 and 01/13/2021. Out of these three appeals, appeal Nos. 01/11/2021 and 01/13/2021 were remanded back to the SDM/RA after setting aside the orders dated 23.07.2020 and 04.02.2021 passed by the Ld.SDM/RA and appeal No.01/01/2020 against order dated 10.10.2019 passed by the SDM/RA was rejected.
2. The appellant herein through the present appeal challenged the impugned orders passed by the Ld.Deputy Commissioner in respect of appeal no.01/13/2021 only whereby the matter was remanded back to SDM/RA after setting aside the order dated 04.02.2021 to look into the claim of R-1 (Praveen Jain) under Section 85 of the Delhi Land Reforms Act, 1954 seeking bhumidari right.
3. Heard Ld. Counsel for Appellant. The appellant requested for stay of the impugned orders dated 21.08.2023.
4. It is seen that the present case is covered under the following judgements of the Hon'ble High Court –

- i. WP(C) No.3502/2022 titled ***Rajeev Shah (Deceased) through LR Gayatri Shah Vs. Government of NCT of Delhi & Ors.***
- ii. ***M/s. Shri Neelpadmaya Consumer Products Pvt. Ltd. Vs Shri Satyabir @ Satbir And Ors.***
- iii. WP(C) No.10068/2016 titled ***Santosh Khurana Vs. The Financial Commissioner, Govt. of NCT of Delhi & Ors.***
5. In view of the impact of LDRA in force in terms of the rulings as cited above, further proceedings in this matter are stayed till the next date of hearing.
6. Issue Dasti notice to respondents on filing of PF.
7. Adj. to 21.11.2023.

**Financial Commissioner
Delhi**

Case No. 266 of 2023

26.09.2023

Mentioned today by Shri Rajesh Srivastava, Counsel for Petitioner.

1. Mention was made by the Petitioner.
2. The Petitioner is aggrieved by the orders dated 18.09.2023 issued by the Assistant Registrar (Audit), RCS qua conduct of special audit.
3. The core ground taken by the Petitioner is that on similar allegations the fact finding inquiry was already conducted/underway. Those proceedings are clearly parallel to these proceedings being drawn up for the same complaint. There cannot be two sets of inquiry for the similar complaint in the normal course.
4. The Petitioner is further aggrieved that in terms of the statutory norms, the RBI conducts annual audit via external Auditors appointed in the year 2021 and in the case of the Petitioner, NABARD also conducts audit in addition to the RBI appointed external Auditor. Therefore, the Petitioner is aggrieved that qua similar complaints parallel fact finding proceedings are being undertaken and multiple audits are being carried out for no fault of the Petitioner and in violation of the principles of natural justice.
5. To the extent of the reasons cited above, the Petitioner has a case and deserves to be heard further.
6. Issue notice.
7. In the interim, no proceedings shall continue against the Petitioner qua the impugned order dated 18.09.2023 till the next date of hearing.

-2-

8. As requested, copy of this order be given dasti to the Counsel for Petitioner.
9. List to 28.11.2023.

**Financial Commissioner
Delhi**

**Dal Chand & Ors.
Vs.
Mahavir Prasad & Anr.**

26.09.2023

The case was mentioned today by Shri Sriom, Counsel for Petitioner.

1. The Petitioner filed the present revision petition against the order dated 18.09.2023 passed by the Deputy Commissioner (South-West) whereby the application for stay was rejected by the Ld. Deputy Commissioner.
2. The brief facts of the case are that the SDM (Kapashera) vide order dated 12.09.2023 directed demolition in respect of khasra no.312/35 (0-2-8) situated in the extended Lal dora revenue estate of village Kanganheri in accordance with decree of possession vide order dated 22.08.2023 in favour of Mahavir Prasad, Respondent No.1 herein. Aggrieved by the order of Ld.SDM, the Petitioner approached the Ld.Deputy Commissioner in appeal under Section 185 of Delhi Land Reforms Act, 1954. However, from the documents on record, it is seen that the Ld.SDM has not invoked any provision of the Delhi Land Reforms Act while passing the demolition order and no provision of DLR Act was cited in the order of the SDM. It is not clear as to how revenue laws can be extended in the present case when the initial proceedings are not conducted in the court of Ld. SDM under the provisions of the DLR Act. Hence, this court is of the considered view that the DLR Act is not invoked or applicable in the present case. Accordingly, the impugned proceedings in the present case bearing titled "**Dal Chand & Ors. Vs. Mahavir Prasad & Anr.**" are not interfered with. With the above observations, the matter is dismissed.
3. File be consigned to the record room after completion.

**(CHETAN B. SANGHI)
Financial Commissioner
Delhi**