

In the Court of Commissioner for Persons with Disabilities
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-23216002-04, Telefax: 23216005
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[Vested with power of Civil Court under the Persons with Disability (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995]

Case No. 4(561)/2013-Wel./CD/ 2634-35

Dated: 13.02.15

In the matter of :

Sh.Jitender Khatolia
S/o Late Sh.Nihal Chand
H.No.5/290, Block No.5
Trilokpuri, Delhi-110091

..... **Petitioner**

Versus

Sh.Arvind Kumar
SHO (Delhi Police)
Police Station Kalyanpuri
Delhi-110091.

.....**Respondent**

ORDER

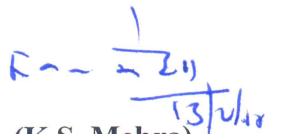
1. Sh.Jitender Khatolia a disabled person filed a representation alleging that his sister-in-law widow of his elder brother and her brothers were trying to throw him out of the property which he and his brothers inherited from their father. Further it was also alleged that false cases had been filed against him by his sister-in-law. The petitioner requested for taking action against his sister-in-law and others helping her under the relevant provisions of law.
2. Since no reports were forthcoming from the police a hearing was fixed and in the report filed by the police it is revealed that the electricity connection to the House no.5/290 Block No. 5, Trilokpuri was disconnected due to non-payment of electricity bills. His sister-in-law widow of his elder brother who was residing with him in the same house on a different floor was allegedly causing hindrance in the installation of electric meter. There are several complaints filed by his sister-in-law apart from one FIR No.590/13 u/s 354, 354 (b), 506, 509 IPC registered against Sh.Jitender Khatolia the petitioner. The neighbours also informed that the petitioner's behaviour with his sister-in-law is not good. The recorded statements of the neighbours and the sister-in-law of the petitioner were also filed by the SHO Kalyanpuri alongwith the copies of the electricity bill and FIR.
3. The petitioner did not attend the hearing on four dates over a period of four months and in the hearing held in the month of February 2015 he stated that the status report filed by the

SHO Kalyanpuri is false and the SHO is hands in glove with his sister-in-law as the SHO has been supporting her for some nefarious gains. The electricity connection in the property in question was in the name of the deceased brother namely Mr. Rajesh and the mother of the petitioner. After the death of his brother the sister-in-law did not pay her share of the electricity bills which is the main issue leading to misunderstanding and altercations between the two parties. The electricity supply was disconnected due to non payment of electricity bill which has remained disconnected for two years. The petitioner was arrested after his sister-in-law registered a case under section 354/506/509/34 IPC. The sister-in-law alleged that the petitioner is interested in usurping the entire property and this is the reason that she made false allegations against him. The petitioner alleged that he was beaten up by the SHO as a result of which he sustained physical and mental agony and harassment and stated that he would initiate appropriate proceedings against these persons in the Court of law in the coming month.

4. I have gone through the facts of the case as reported by the police as well as the petitioner in this case. It is a matter of record that the ownership of a property is the main contentious issue between the two parties. The FIR registered against the petitioner was quashed by the Hon'ble High Court of Delhi after it was submitted before the court that parties had arrived at an amicable settlement and have no grievances whatsoever left against each other. In view of the facts of the case that the matter primarily relates to a property dispute and also that the petitioner has amicably settled the matter there is no need to pursue the matter further in this court.
5. Ordered accordingly.



Given under my hand and the seal of the Court this 13th day of February, 2015.


(K.S. Mehra)

Commissioner

Court of Commissioner (Disabilities)
National Capital Territory of Delhi
Room No. - 1
25-D, Mata Sundari Road, New Delhi-02