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R-6, R-8 and R-9  
% 23.11.2010

Present: Mr. Rajinder Dutta, Advocate for the petitioner in  
W.P.(C) Nos.20243/05 and 530/07.  
None for the petitioner in W.P.(C) No. 7420/2006  
Mr. V.K. Tandon, Advocate for the respondent  
Nos.1/RCS.  
Ms. Meera Bhatia, and Mr. Roshan Kumar, Advocates  
for R-1 and 2.

**C.M.Nos.254/2009 (under Order 22 Rule 3 CPC) and 255/09  
(condonation of delay of 8 months and 15 days) in WP (C)  
No.20243/05**

\* The applications have been filed to bring on record  
the legal representatives of the deceased petitioner who passed  
away on 25.4.2008 and is survived by his widow and three sons  
alongwith the application for condonation of delay in moving the  
said application. The applications are accompanied by the Death  
Certificate.

In view of the facts set out in these applications, the  
delay in filing the application to bring the legal representatives on  
record is condoned and the application to bring on record the LRs  
is allowed. CMs stand disposed of.

Amended memo of parties at page 102 is taken on record.

**+W.P.(C) Nos. 20243/2005 & CM No. 13184/2005,**  
**+W.P.(C) No. 7420/2006 & CM No. 5810/2006 &**  
**+W.P.(C) No. 530/2007 & CM No. 979/2007**

These three petitions relate to the claim of the members of  
Hindustan Cooperative House Building Society Ltd. The claim is

**W.P.(C) Nos.20243/05, 7420/06 & 530/07**

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almost identical inasmuch as it is not disputed that these are members on the waiting list. However, the claim is predicated on the plea that their seniority in the waiting list would entitle them to a plot each and there are sufficient numbers of plots available.

Learned counsel for the RCS states that the final list has not been verified and that the RCS will carry out the necessary exercise of verification of the list of members specially on the waiting list to find out as to where the petitioners stand insofar as their seniority is concerned based on the date of application. It is only after such verification that the remaining plots can be offered as per seniority in the waiting list subject to their eligibility and fulfillment of other conditions.

We thus direct the RCS to carry out the necessary exercise within two months from today and prepare a seniority list so that the eligible wait listed members can get the plots and the petitioners entitlement would depend on their seniority in such a list of wait-listed members. Needless to say that the ultimate entitlement of the plot would be subject to their fulfilling the other terms and conditions of eligibility.

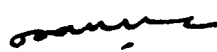
On verification and finding out the eligible members, their names shall be forwarded to the DDA for holding a mini draw of lots within a period of 15 days and DDA will hold the draw of lots

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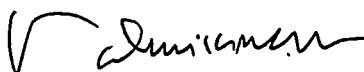
within 15 days of the receipt of the intimation by the RCS.

The writ petitions and the applications are disposed of in the aforesaid consent order.

Dasti to learned counsel for the parties.

  
SANJAY KISHAN KAUL, J.

NOVEMBER 23, 2010  
Ne/ib

  
VALMIKI J. MEHTA, J.