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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

Judgment delivered on: 21st April, 2015

\+ **CONT.CAS(C) 236/2015**

RAVINDER KAUR ..... Petitioner
Represented by: Mr. N. Kinra, Adv.

Versus

BALVINDER KUMAR (VICE CHAIRMAN)
& ANR. ..... Respondents
Represented by: Mr. Dhanesh Relan, Standing Counsel with Mr. Arush Bhandari, Adv. for Respondent/DDA.

CORAM:
HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

1. Vide the present petition, the petitioner seeks directions thereby to initiate contempt proceedings in respect of judgement dated 05.04.2013 passed by this Court in W.P.(C) No. 3570/2010 for wilful disobedience on the part of the respondents.

2. I note, vide the aforesaid order mandamus was issued to the respondents/Delhi Development Authority (DDA) to allot a MIG Flat to the petitioner by issuing fresh demand-cum-allotment letter at the same cost at which payment was raised on others for the flats allotted at the draw of lots held on 31.03.2004. The said directions were to be complied with within six weeks from said date.

3. It was further clarified that on petitioner's making payment of the demand within the time stipulated in the demand-cum-allotment letter, possession of the flat shall be handed over to the petitioner within two weeks.

4. Since then more than two years have been passed. The respondents neither complied with the order dated 05.04.2013 nor challenged the same before the High Court, thus, the respondents have accepted the aforesaid order. Despite, took no steps for compliance of the same.

5. Learned counsel appearing on behalf of the respondents, on instructions, submits that the petitioner had applied in the Scheme of 1979. The said Scheme had closed long back and the DDA has to find out the left out flats or available flats in the other parts of Delhi and thereafter, a mini draw will be held to allot the flat in favour of the petitioner, which will take some more time.

6. On asking by the Court as to how much time will be needed, learned standing counsel submits that as per instructions, the DDA need six months time for the same.

7. As stated by counsel for the respondents that on 10.04.2015, a decision has been taken by the respondents not to challenge the said order, therefore, six months further time will be required to comply with the order dated 05.04.2013.

8. Admittedly, the respondents/DDA has taken the said decision in complete two years and the petitioner was constrained to file the

present contempt petition to get the order dated 05.04.2013 implemented.

9. In view of the above recorded submissions, I direct the respondents/DDA to allot a flat to the petitioner within three months from today. By extending the time and constraining petitioner to file the present petition, the respondents are liable to pay costs. Hence, the respondents/DDA are directed to pay a sum of Rs.25,000/- in favour of the petitioner as cost of the present petition.

10. I make it clear that if the order dated 05.04.2013 is not complied with within the stipulated time, the petitioner would be entitled to another cost of Rs.1,00,000/-.

11. In view of the above noted facts, the present petition is disposed of.

12. Consequently, the contempt notices issued against the respondents stand discharged.

SURESH KAIT
(JUDGE)

APRIL 21, 2015
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