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

+ W.P.(C) 6103/2014

SATBIR SINGH

..... Petitioner

Through: Ms. Richa Singh, Adv.

versus

GOVT. OF NCT DELHI & ANR

..... Respondents

Through: Mr. Rakesh Mittal and Mr. Kamlesh
Anand, Adv. for R1.

Mr. Briaja Mahapatra, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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15.07.2015

1. This writ petition is directed against communication dated 4.8.2014, whereby the petitioner's application for allotment of an alternate plot was rejected.
2. The impugned communication is indicative of the fact that the applicant was requested to submit the revenue record for the year prior to issue of notification under Section 4 of the Land Acquisition Act, 1894, vide letter dated 30.4.2014, issued by the Land & Building Department of Government of NCT of Delhi. Since, reply qua letter dated 30.4.2014, according to respondent, was not received, the application of the petitioner was rejected.
3. A perusal of letter dated 30.4.2014 would show that the said record, to which I have made a reference above, was sought by letter dated 5.5.2014.
4. It is the case of the petitioner that this letter was dispatched by the

respondents only on 2.5.2014 and, therefore, there was delay in receipt of letter dated 30.4.2014 by the petitioner. Accordingly, the petitioner had submitted the documents sought for with his letter dated 5.6.2014. These facts are reflected in the petitioner's letter dated 22.8.2014. Further, the letter dated 5.6.2014 is also appended, which is indicative of the fact that the record sought for by the respondent was submitted. It is also the case of the petitioner that the record has been submitted to the respondent on earlier occasions also.

5. In these circumstances, according to me, the impugned communication has been issued without due application of mind. Accordingly, the impugned communication is set aside.

6. Respondents will re-examine the case of the petitioner and pass a reasoned order. For this purpose, the petitioner will be accorded a personal hearing.

7. In case, for some reason, the record sought for in the letter dated 30.4.2014 is not available, the respondent will in the notice issued for grant of personal hearing indicate this fact in so many words.

8. The petitioner, will carry the record with him for due examination by the recommendations committee, which will, after considering the matter, pass a speaking order.

9. The writ petition is disposed of with the aforesaid directions in place.

10. Needless to say, respondents will complete the entire exercise with expedition, though not later than three months from today.

RAJIV SHAKDHER, J

JULY 15, 2015/s.pal
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