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

+ **W.P.(C) 3705/2015**

RICHPAL

..... Petitioner

Through: Mr. N.S. Dalal and Mr. Amit Rana,
Advocates

versus

LAND & BUILDING DEPARTMENT

..... Respondent

Through: Ms. Jyoti Tyagi for Mr. Yeeshu Jain,
Advocate

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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06.08.2015

1. This writ petition is directed against communication dated 15.07.2014 whereby the request made for allotment of an alternate plot against the acquired land has been rejected. The only ground given in the impugned communication is that despite the fact that the petitioner was directed to furnish information by the respondent vide its letter dated 27.01.2014, the needful had not been done and hence, the rejection of the request.

2. Mr. Dalal, who appears for the petitioner, has drawn my attention to letter dated 13.05.2013, issued by the respondent, seeking information from the petitioner and the response thereto furnished by the petitioner on 02.08.2013. According to Mr. Dalal, the information as sought was furnished.

2.1 It is also the submission of Mr. Dalal that letter dated 27.01.2014, which is referred to in the impugned communication, was never received by

the petitioner.

3. To be noted, notice in this writ petition was issued on 01.05.2015 when, time was taken on behalf of the respondent to obtain instructions.

3.1 To date, no counter affidavit has been filed. Furthermore, the learned counsel for the respondent has also, no instructions in the matter.

4. In view of the above, the petitioner's plea ought to have been accepted as it stands untraversed. Accordingly, the communication dated 15.07.2014 is set aside. The Recommendation Committee will issue a notice to the petitioner indicating therein the date, time and venue when he is required to present himself. Notice will indicate as to whether or not any material / documents are required to be furnished in the event the documents said to have been submitted are not available on record. The petitioner will carry the original documents, if not submitted. If originals have been submitted, copies of the same will be carried by the petitioner. The Recommendation Committee shall accord a personal hearing to the petitioner whereupon, it shall pass a speaking order. A copy of the decision so rendered shall be communicated to the petitioner within two weeks of the order being passed.

5. Needless to say, the aforementioned exercise will be completed with due expedition though, no later than five (5) months from today.

6. With the aforesaid observations in place, the captioned petition is disposed of.

RAJIV SHAKDHER, J

AUGUST 06, 2015

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