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

+ **W.P.(C) 7377/2014**

HAMIDA BEGUM

..... Petitioner

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

versus

LAND & BUILDING DEPARTMENT

..... Respondent

Through: Mr. Siddharth Panda and Ms. Jyoti
Tyagi for Ms. Deepika, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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06.08.2015

1. The petitioner is aggrieved by the fact that at the meeting of the Recommendation Committee constituted by respondent no.2, held on 17.10.2013 her application for allotment of alternative plot in lieu of acquired land was rejected solely on the ground that letter dated 29.04.2013 despatched to her was returned as “undelivered”.

2. Mr. Dalal, who appears for the petitioner says that there are two errors in the decision taken by the Recommendation Committee.

2.1 First, that vide communication dated 06.06.2007, the petitioner had indicated a change in her address.

2.2 Second, that on 13.09.2011, the Recommendation Committee had already recommended allotment of an alternative plot in favour of her husband, Late Mr. Riyazuddin, who was the legal representative of the original applicant i.e., the father, Late Mr. Karimuddin. For this purpose,

my attention has been drawn to Annexure P-6 appended at page 29 of the paper book.

3. Notice in this petition was issued on 31.10.2014, whereupon six (6) weeks were granted to the respondent for filing a counter affidavit. No counter affidavit has been filed, to date.

4. In these circumstances, I am not inclined to grant any further time.

4.1 The learned counsel for the respondent, however, fairly concedes that they will revisit the issue.

5. Accordingly, the decision taken at the Recommendation Committee meeting held on 17.10.2013 is set aside. The Recommendation Committee will issue a fresh notice to the petitioner indicating therein, the date, time and the venue where she is required to present herself. Notice will also indicate the relevant documents that she is required to make available to the Recommendation Committee. The Recommendation Committee after granting personal hearing to the petitioner, will pass a speaking order; a copy of which will be served on her within two weeks of the order being passed. Needless to say, the aforementioned exercise will be completed with due expedition though, no later than four 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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