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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1186/2015

ANIT CHAUHAN AND ORS.

..... Petitioners

Through Mr.R.B.Singh and Mr.Harsh Kumar,
Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through Mr.Siddharth Panda, Advocate for
L& B. Dept.
Mr.Sanjeev Sabharwal, Standing
Counsel for DDA

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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05.10.2016

Petitioner is aggrieved by the letter of rejection dated 18.4.2013 vide which his application seeking allotment of alternate plot has been rejected on the ground that the petitioner has still balance land. The judgment of the Apex Court in CA No.8289/2010 titled Delhi Administration Vs. Jai Singh Kanwar (decided on 14.09.2011) was held to be applicable to the facts of the case of the petitioner.

Record shows that the land of the petitioner comprising of 749 bighas and 12 biswas in Village Nangli Razapur, New Delhi had been acquired. Compensation had been received by the petitioner. The application seeking allotment of alternate plot was filed within time. There is no doubt to all these facts. There is also no dispute to the admitted position that out of 1790 bighas of land in Village Nangli

Razapur, New Delhi only 996 bighas was acquired and the balance land of 794 bighas remained in which the petitioner had a 3/80th share. On a candid query put to the learned counsel for petitioner he admits that factum. He admits that 3/80th share would quantify more than 20 bighas of land. The judgment of Jai Singh Kanwar would be wholly applicable. Para 6 of the said judgment is relevant and it reads as under:

“The object of the Scheme is that when the land owned by a person is taken away in entirety and he is left without any house or plot, he should be allotted a plot. The Scheme therefore provided that only a person who does not own a house / residential plot / flat will be entitled to apply.”

The impugned order thus suffers from no infirmity.

Petition dismissed.

INDERMEET KAUR, J

OCTOBER 05, 2016

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