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

+ LPA 215/2016

JAGPAL SINGH Appellant

Through: Mr.Avadh Kaushik, Adv.

Versus

GOVERNMENT OF NCT OF DELHI & ANR Respondents

Through: Mr.Yeeshu Jain, Adv. with Ms.Jyoti
Tyagi, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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05.04.2016

1. This appeal is preferred against the order of the learned Single Judge dated 28.10.2016 in W.P.(C) No.5320/2012.
2. The said writ petition was filed by the Appellant herein aggrieved by the action of Respondents No.1 and 2 in declining to re-open the application made by his father for allotment of alternative plot in lieu of the land acquired under the Scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi, 1961 (for short 'the Scheme'). Having found that the father of the writ petitioner/Appellant herein died on 09.05.1992 and that the application for allotment of alternative land filed by him was closed on 22.11.1993 itself, the learned Single Judge declined to grant any relief.
3. We have heard the learned counsel for both the parties.
4. Admittedly, the land belonging to the father of the petitioners was acquired on 19.09.1986 and the possession was taken on 22.09.1986. The application for allotment of alternate land was made by the father of the

petitioner on 16.02.1987. The petitioner's father died on 09.05.1992 and the present petition came to be filed in the year 2012 with a prayer to include the name of the petitioner in the list of pending applications for allotment of alternative plot. Having regard to the long lapse of time of about 20 years, the learned Single Judge was justified in declining to grant the relief prayed for. As rightly observed by the learned Single Judge the Scheme of allotment of alternative residential plot in lieu of acquired land is rehabilitative in nature and once the applicant is found to have not been diligent in pursuing such application, it has to be presumed that he is not interested and not in need of the alternative plot.

5. We do not find any substance in any of the contentions advanced in the present appeal and, therefore, the interference by us is not warranted on any ground whatsoever.

6. The appeal is without any merit and the same is accordingly dismissed.

CHIEF JUSTICE

JAYANT NATH, J

APRIL 05, 2016

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