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

+ **W.P.(C) 1935/2016**

INDIAN COUNCIL OF LEGAL AID & ADVICE Petitioner

Through: Mr.Awadh Kaushik with
Mr.R.K.Saini, Advs.

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondent

Through: Mr.Sanjoy Ghose, ASC with
Mr.Kaushtubh Anshuraj, Adv. for
GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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04.03.2016

G.ROHINI, CHIEF JUSTICE (ORAL)

1. This petition by way of public interest litigation has been filed with the following prayers:

“b) A writ of certiorari quashing the action on part of the respondents in denying/refusing possession of the residential plots of land allotted under the Prime Minister’s Twenty Point Programme to the poor and landless residents of Village Ghitorni from the Gramsabha land by the respondents, by not carrying out the demarcation of the plots all these years and now, without jurisdiction, trying to change the nature of the demised land and trying to handover possession of the land to the Forest Department without any formal cancellation and show cause notice and opportunity of being heard, being illegal, arbitrary, discriminatory, without jurisdiction and in violation of the principles of equity, natural justice and good conscience and the legal

and fundamental rights of the said residents of the village;

c) A writ of mandamus directing the respondents to immediately demarcate the plots allotted to the poor and landless residents of the Village Ghitorni under the Prime Minister's Twenty Point Programme from Gramsabha land bearing Khasra No.630, Village Ghitorni and thereafter handover possession to them."

2. The petitioner places reliance upon the order dated 31.10.2011 in W.P.(C) No.4836/1993 titled *Narayan Singh and Others vs. Delhi Administration and Others* as confirmed on appeal by the Division Bench of this Court as well as the Supreme Court in SLP(C) No.39062 of 2012 regarding the claim of residents of Village-Rangpuri for allotment of plots under 20-Point Programme of the Government. Reliance has also been placed upon the order of the Division Bench of this Court dated 17.12.2015 in which directions were issued to register a contempt petition against the Delhi Administration. It is sought to be contended by the petitioner that the residents of Village-Ghitorni for whose benefit the present petition is filed are also entitled to allotment of plots under the 20-Point Programme of the Government on par with the residents of Village-Rangpuri, who filed W.P.(C) No.4836/1993.

3. Admittedly, the residents of Rangpuri have been pursuing the legal remedies for redressal of their grievance from the year 1993. It is not disputed before us that the residents of Ghitorni have not taken any steps before any forum regarding their claim for allotment of plots under the 20-Point Programme of the Government. That being the case, the relief sought in the present petition under the garb of public interest litigation does not

appear to be *bona fide*. Hence, we are not inclined to entertain this petition.

4. The writ petition is accordingly dismissed.

CHIEF JUSTICE

JAYANT NATH, J

MARCH 04, 2016/pmc