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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5010/2014**
SURINDER SINGH ZETHRA

..... Petitioner

Through Ms. Richa Kapoor and Mr. Ashish
Negi, Advs.

versus

GOVT. OF NCT OF DELHI & ANR

..... Respondents

Through Mr. P. Venkatesan for Mr. Siddharth
Panda, Adv for L & B Department.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **19.07.2016**

There are two petitioners before this Court. Their grievance is that their prayer made for alternate allotment had been rejected by the Recommending Committee vide its order dated 22.10.2013. The contention of the petitioners is that they had applied for the alternate plot within time.

The subject matter of the present writ petition has been described in para 4 of the petition. This land had been acquired by the respondents by Award dated 10.02.1969. Compensation had been received by the erstwhile petitioner namely Purshottam Singh who has since expired. The petitioners before this Court are the two sons of the deceased. It is stated that the deceased owner had left behind four legal heirs.

Record shows that the respondent had written a letter on 25.09.2012 to Purshottam Singh informing him that his application

which he had submitted for an alternate plot suffers from various deficiencies and necessary documents had not been furnished. On 06.08.2013 this has been reiterated by the respondent in its subsequent letter which letter reflects that out of six documents sought for by the Department, four of the aforementioned documents i.e. (i) death certificate of the recorded owner, (ii) surviving membership certificate from the competent authority, (iii) affidavit in respect of non-membership of CHS and (iv) a khatoni in Hindi had been furnished to the Department but two documents i.e. the payment certificate and the relinquishment deed which were also obligatory on the part of the petitioner to have placed them on record of the respondents were not filed. Further submission of the learned counsel for the petitioners is that pursuant to the RTI information which the petitioners had obtained on 06.02.2014, the payment received by deceased Santok Singh had been detailed and this information had thereafter been furnished to the respondent on 20.02.2014. However, the case of the petitioners was not considered in the absence of this payment certificate and the relinquishment deed. Further submission of the learned counsel for the petitioners is that the relinquishment deed qua the other two legal heirs of the deceased Santok Singh could not be obtained earlier as the parties were not ad-idem and other brothers were not cooperative with the petitioners in getting the relinquishment deed prepared. The said relinquishment deed and the payment certificate will now be filed by the petitioners before the respondents within a period of two weeks from today and the respondents shall consider the case of the petitioners afresh within an

outer limit of four months from today in the light of the aforementioned two documents as also the other four documents earlier furnished by them. The recommending committee will thereafter consider the case of the petitioners in accordance with law.

No further orders are called for on this petition. It is disposed of.

INDERMEET KAUR, J

JULY 19, 2016

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