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

+ W.P. (C) 5069/2016

SANJAY DUTTA Petitioner

Through: Mr. Deepak Jain, Advocate.

versus

GOVT.OF NATIONAL CAPITAL TERRITORY OF DELHI & ORS

..... Respondents

Through: Ms. Neha Rastogi, Advocate for
GNCTD/Resp-1.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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30.05.2016

Issue notice. Ms. Neha Rastogi, Advocate accepts notice.

The petitioner seeks a direction to the respondents to ensure that possession of flat No.332 said to have been allotted to him on 22.11.2003 by the DDA pursuant to a draw of lots should be handed over to him. He relies upon a letter dated 25.06.2014 by the Registrar of Cooperative Societies to the Society, i.e., Nehru Cooperative Group Housing Society Ltd. as well as further letter dated 09.07.2014 by him to the RCS.

Though the letter does not indicate that flat no.332 *prima facie* allotted to the petitioner, at the same time, RCS's letter of 25.06.2014 shows that petitioner was unable to produce original

documents and also that the certain amount was outstanding and payable by him to the Society.

Having regard to the contentions made in the writ petition and the submissions of the Registrar, we are of the opinion that the RCS should in the first instance require the presence of the President of Secretary of the Society as the case may be with the necessary and relevant records pertaining to the petitioner as well as the petitioner on a specific date within a period of one month from today and ascertain what are the impediments in handing over of the possession.

If there is any surviving dispute with respect to the amounts outstanding or the documents, relevant and vital for the allotment, which remained unresolved, the Registrar shall take step by either adjudicating upon them or refer the same for adjudication to the Arbitrator. In the latter event, the Arbitrator shall publish its Award at its utmost expedition - and in any case - within six months from today.

W.P. (C) 5069/2016 is disposed of in the above terms.

Order dasti.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

MAY 30, 2016

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