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

+ W.P.(C) 5560/2016
OM PRAKASH

..... Petitioner
Through Mr. N. S. Daal and Mr. Devesh Pratap
Singh, Advocates
versus

LAND & BUILDING DEPARTMENT

..... Respondent
Through Mr. Yeeshu Jain and Ms. Jyoti Tyagi,
Advocates for R-1

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **05.10.2016**

Petitioner is aggrieved by the letter of rejection dated 15.04.2014 vide which his application for allotment of alternate plot had been rejected for the reason that application was unsigned. Contention of the petitioner is that the application was well signed and for this purpose attention has been drawn to page 37 of the paper book where the signature of the applicant have been endorsed. Counsel for the respondent on this count submits that the signature of the applicant are not supposed to be appear at page 37 but the signature had to be appended at page 36 and page 37 is the place where the signature of LAC with the stamp has to be recorded. She also seeks time to file a counter affidavit.

This Court notes that the signature of the petitioner

inadvertently appear at page 37. The fact that the signature appears to be at page 37 is prima facie evidenced. The other undisputed fact is that the land of the petitioner (falling in village Dhulsiras) and his application seeking allotment of an alternate plot was filed on 18.11.2003 which was within time. Letter rejecting his application was prima facie for the reason that this application was unsigned.

This may not been quite correct and as such this Court is of the view tht the petitioner deserves hearing on merits. Letter dated 15.04.2014 is set aside. Case of the petitioner be considered on merits as per seniority list.

Petition disposed of.

INDERMEET KAUR, J

OCTOBER 05, 2016

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