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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6791/2016**
TRIPTA CHAWLA AND ORS

..... Petitioner
Through Mr.Peeyoosh Kalra and Mr. Shiv
Sharma, Advocates.

versus

SOUTH DELHI MUNICIPAL CORPORATION
..... Respondent
Through Ms.Sakshi Popli, Advocate.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **05.08.2016**

Petitioner is aggrieved by the fact that his application seeking a sanction of the third floor of premises No.24/70, Punjabi Bagh West, New Delhi had been rejected.

His submission is that a Civil Suit had also been filed qua the same issue which was CS No.89/2013 wherein he had made two prayers. The first prayer was that his application seeking a sanction of the aforementioned property be accepted by the competent Authority. The second prayer was that sanction be afforded to him in the course of those proceedings. The original petitioner namely I.M.Chawla had expired. His legal representatives were brought on record. The suit was thereafter disposed of with a direction to the competent Authority to consider the application of the deceased qua the first prayer. The second prayer was given up. This decree was passed on

05.12.2015. On 09.12.2015, petitioner submitted the original application prepared by late I.M.Chawla for the sanction of the aforementioned third floor. This application was rejected on 21.01.2016 on the ground that the file which had been submitted to the competent Authority was in the name of I.M. Chawla. I.M. Chawla admittedly having expired; his legal representatives now want to present the application to the Department who is now not accepting it.

In view of the fact that the earlier application was rejected on 21.01.2016 without considering the merits but only for the reason that the file was in the name of I.M.Chawla (since deceased) as is evident from the communication dated 21.01.2016, the competent Authority will consider the application through legal representatives of the deceased I.M.Chawla.

Counsel for the petitioner submits that all the original documents have already been filed along with the application of I.M. Chawla and the same may be considered. The competent Authority will consider the request of the petitioner. However, if certain other information is sought by the competent Authority, the same shall be furnished by the petitioner.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

AUGUST 05, 2016

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