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

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W.P.(C) 7712/2014

PHOOL KUMAR & ORS

..... Petitioners

Through      None for petitioner.

versus

LAND & BUILDING DEPARTMENT & ORS

..... Respondents

Through      Mr.Sidarth      Pandh      and      Mr.  
B.Mahapatra, Advocate for R-1.

**CORAM:**

**HON'BLE MS. JUSTICE INDERMEET KAUR**

**ORDER**

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**19.09.2016**

Counter affidavit is taken on record.

Petitioner is aggrieved by the letter dated 20.8.2014 wherein his application seeking allotment of an alternate plot had been rejected on the ground that there was a delay in filing the aforementioned application.

Record shows that the letter itself communicated to the petitioner as per their record states that the compensation of the acquired land was received by the petitioner on 28.6.2002. There was a limitation of one year for filing an application seeking allotment of alternate plot. This period had expired on 27.6.2003. The application seeking allotment of alternate plot was submitted on 30.6.2003. This is noted in the rejection letter itself.

This Court notes the factual aspects of this matter. There was a delay of three days only. The case of the petitioner should not be

thrown out on the ground of short delay. The rejection letter dated 28.8.2014 is set aside. The case of the petitioner be considered on merits. The case of the petitioner will be decided within an outer limit of six months from today.

Petition disposed of.

**INDERMEET KAUR, J**

**SEPTEMBER 19, 2016**

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