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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8725/2016**
RAM KUMAR

..... Petitioner
Through Mr.Rajesh Gupta, Mr.Harpreet Singh
and Mr.M.C.Verma, Advocates.
versus

GOVERNMENT OF NCT OF DELHI AND ANR

..... Respondents
Through Mr.Yeeshu Jain and Ms.Jyoti Tyagi,
Advocates for GNCTD.
Mr.Arun Birbal, Advocate for DDA.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **27.09.2016**

Petitioner is aggrieved by the communication dated 16.4.2015 vide which his application seeking allotment of an alternate plot was rejected on the ground that it was time barred. This communication itself had noted that the compensation of the acquired land has been received by the petitioner on 26.7.2002. The prescribed period of limitation was one year at that point of time. This period expired on 25.7.2003. This communication notes that the application filed by the petitioner seeking allotment of an alternate plot is dated 21.8.2003 which even as per the Department would be delayed by a period of one month. The case of the petitioner stood rejected.

Petitioner is aggrieved. His submission is that he had filed his application well within time and the acknowledgement of receipt of his application by the Department finds mention at page 36 of the

paper book. He had obtained this document under the RTI Act. A perusal of this document shows that the petitioner had probably filed his application on 20.7.2003 which is his case. The endorsement of the Department i.e. the Land and Building Department, Government of NCT of Delhi is clearly noted therein. The date is also clear. This makes the case of the petitioner within limitation. The impugned letter dated 16.4.2015 as also the earlier communication dated 22.10.2014 is set aside. The case of the petitioner be considered on its merits. The Department will pass a speaking order on the application of the petitioner within a period of six months from today.

Petition disposed of.

INDERMEET KAUR, J

SEPTEMBER 27, 2016
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