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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 9310/2014

CHHANGA SINGH

..... Petitioner

Through None.

versus

GOVERNMENT OF NCT OF DELHI AND ORS.

..... Respondents

Through Mr.Yeeshu Jain, Advocate for Land
Building Department/R-1.
Ms.Shobhna Takiar, Advocate for
DDA.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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05.09.2016

Petitioner is aggrieved by the letter of rejection dated 23.6.2014 vide which his application seeking rejection of allotment of alternate plot has been rejected on the ground that he still had balance land and his land in entirety has not been acquired. The letter dated 23.6.2014 shows that as per the available revenue record land measuring 71 bighs and 11 biswas still remained with the petitioner. This land has not been acquired and in view of the judgment of the Apex Court in Delhi Administration Vs. Jai Singh Kanwar (CA No.8289 of 2010) the case of the petitioner was rejected for allotment of an alternate plot.

Submission of the learned counsel for the respondent no.1 is that the total land of the petitioner was 103 bighas and 13 biswas out of which

71 bighas and 11 biswas still remained with the petitioner. This submission has been made learned counsel for the respondent on the basis of the record produced before the Court which has been perused. This order is clearly in line with the ratio of the judgment of *Jai Singh Kanwar* (Supra) wholly applicable to the situation in hand. Para 6 of the judgment is relevant. It reads herein as under:-

“The object of the Scheme is that when the land owned by a person is taken away in entirety and he is left without any house or plot, he should be allotted a plot. The Scheme therefore provided that only a person who does not own a house / residential plot / flat will be entitled to apply.”

Thus letter of rejection suffers from no infirmity.

Since none has appeared for the petitioner. Petition is dismissed in default as also on merits.

At this stage, learned counsel for the petitioner has appeared and he has been apprised of the said order.

INDERMEET KAUR, J

SEPTEMBER 05, 2016

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