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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7918/2016**
KITABO

..... Petitioner

Through Mr.Sanjay Singh, Advocate.

versus

GOVT. OF NCT OF DELHI

..... Respondent

Through Mr.Yeeshu Jain, Advocate.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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07.09.2016

Petitioner is aggrieved by the letter dated 28.7.2004 wherein his application allotment of an alternate plot has been rejected only for the reason that it was unsigned. His case was not considered on merits.

Record shows that the land of the petitioner in Village Baprola had been acquired on 12.8.1997; compensation was received on 24.7.2000. The application seeking allotment of an alternate plot was filed within time i.e. on 17.5.2001. The case of the petitioner was however rejected for the reason as noted supra has also been mentioned in the rejection letter dated 28.7.2014.

Learned counsel for the petitioner submits that the petitioner is an uneducated lady and was not aware of the nuances of the law. It was only due to an inadvertent error that the application form remained unsigned. Her case be considered on merits. Additional

submission being that although she had applied for allotment of an alternate plot in the year 2001, the rejection letter was received by her in 2014 i.e. after a period of 13 years.

These facts noted supra are not disputed by the learned counsel for the respondent.

This Court is of the view that this is a fit case where the case of the petitioner should be considered on merits as the application of the petitioner for allotment of an alternate plot was made within time. The submission of the petitioner that she was an uneducated lady thus due to inadvertence not signed the application form appears to be a justifiable ground. Letter dated 28.7.2014 is accordingly set aside.

Petitioner will appear before the Recommendation Committee on 26.9.2016 where the application of the petitioner shall be signed/thumb marked and the case of the petitioner be considered on merits and disposed of by passing a speaking order within an outer limit of eight months from the date of the receipt of this order.

Petition disposed of.

INDERMEET KAUR, J

SEPTEMBER 07, 2016

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