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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10329/2016**
RAM DAS

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

versus

GOVERNMENT OF NCT OF DELHI & ANR

..... Respondents
Through Ms.Jyoti Tyagi for Mr.Yeeshu Jain,
Advocate.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **02.11.2016**

Petitioner is aggrieved by the rejection letter dated 10.02.2015 vide which his application seeking allotment of an alternate plot had been rejected for the reason that it was beyond limitation. The communication addressed to the petitioner disclosed to him that as per the available record the applicant has received his compensation of the acquired land on 10.6.2002. His application seeking allotment of an alternate plot was submitted on 10.6.2003 which was beyond the period of limitation of one year.

Admittedly, there was a time limit of one year within which the application had to be filed from the date of the receipt of the compensation. Admittedly, the petitioner had received compensation on 10.6.2002 and admittedly, the application has been filed by the

applicant seeking allotment of an alternate plot on 10.6.2003.

The case of the petitioner is that he had filed his application within limitation and this was on 09.6.2003 and there is no delay. He has pointed out the communication at page 35 of the paper book which evidences the date of filing of the application as 09.6.2003. The application of the petitioner was thus within time. Even presuming that it was not within time, the delay of one day should not come as a hurdle for his case to be examined otherwise on merits.

The plea of the counsel for respondent that she seeks time to file response is negated in the facts of the instant case.

The case of the petitioner be considered on merits as per seniority.

Petition stands disposed of.

INDERMEET KAUR, J

NOVEMBER 02, 2016
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