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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10273/2015**
SHREE BHAGWAN

..... Petitioner

Through Mr. Manoj Nagar, Advocate

versus

GOVT. OF NCT OF DELHI

..... Respondent

Through Mr. Yeeshu Jain and Ms. Jyoti
Tyagi, Advocates

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **26.07.2016**

Counter affidavit has not been filed. Several opportunities have already been granted to the respondent to file counter affidavit. First date was on 02.11.2015 thereafter on 18.12.2015 and again on 29.03.2016 as also today. Again opportunity has been sought to file the counter affidavit. Petitioner has opposed this adjournment.

Record shows that the petitioner had applied for an alternate plot way by as on 2003. Pursuant to the acquisition of his land in the year 2002. He was rejected on 20.09.2005 on the ground that his case was time barred. A civil writ petition bearing no. 4868/2008 was preferred by the petitioner which was disposed on 11.07.2008 directing the respondent to pass a speaking order within six weeks. The case of the petitioner was rejected on 24.09.2008. Another writ petition bearing no. 8584/2008 was preferred by the petitioner. On

12.03.2010 the Bench of this Court had condoned the delay qua the petitioner in his filing his application for an alternate plot. In the course of these proceedings, contempt proceedings had also been initiated by the petitioner. Documents were sought from the petitioner. Petitioner made a representation on 17.01.2014 seeking allotment of an alternate plot but his submission is that his application till date has not been decided and communications have been received by him on various dates asking for further documents but his case is yet pending before the Department. The fact that the case of the petitioner is pending before the Department is not disputed. Respondent admits this fact.

In this view of the matter the representation of the petitioner i.e. his application seeking an alternate plot (vide communication dated 17.01.2014) be considered by the Department in accordance with law and a speaking order shall be passed within an outer limit of three months from today.

No further orders are called for in this petition.

Petition is disposed of in above terms.

INDERMEET KAUR, J

JULY 26, 2016

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