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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 660/2016

SURENDER KUMAR

..... Petitioner

Through: Mr. Kapil Lalwani, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY AND ORS Respondents

Through: Ms. Sapna Chauhan, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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24.11.2016

Present writ petition has been filed seeking a direction to respondent No.1-DDA to hand over the possession of Flat No.73-A, Ground Floor, Shastri Park, New Delhi.

In the present writ petition, it has been admitted that respondent No.2 is now in possession of the aforesaid flat and he has filed two suits against the petitioner which are pending before the Court of Civil Judge, Karkardooma Courts, Delhi.

It is pertinent to mention that it is the case of petitioner that respondent No.2 has prepared forged and fabricated documents and broken seal of the flat when DDA was in possession of the same.

Since DDA is a party to the civil suits which are already pending adjudication, this Court is of the view that the present writ petition should not be entertained.

Consequently, present writ petition is disposed of with a direction to the civil Court to decide all the issues including the allegation that DDA has been remiss in its duties in not handing over the vacant possession of the flat to the petitioner.

However, this Court clarifies that it has not expressed any opinion on the merits of the controversy. Rights and contentions of all the parties are left open.

MANMOHAN, J

NOVEMBER 24, 2016

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