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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment delivered on: 30.05.2017

+ W.P.(C) 1456/2017

RIDHI BHAGAT

..... Petitioner

Versus

GOVT. OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Manpreet Kaur, Advocate

For the Respondents : Mr. Uday Chauhan, Adv. for Ms. S.Banal, Adv. for R-1 with Mr. Hem Chand, from the SDM Office
Mr. Vivek Goyal, CGSC with Ms. Vanya Khanna, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.05.2017

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks setting aside of the rejection order dated 03.02.2017 whereby the Government of NCT of Delhi has declined to issue a domicile certificate to the petitioner.

2. It is contended that the petitioner is the daughter of a serving Army Officer. The father of the petitioner in his service record has

shown that he is a permanent resident of D-73, First Floor, Mansrovar Garden, New Delhi-110015.

3. It is submitted that the said property is the property of grandfather of the petitioner. The petitioner was born on 25.11.1998 in Delhi. The petitioner has done her primary schooling from Delhi and thereafter had to change her school to Kerala, Himachal Pradesh and now Uttarakhand on account of the postings of her father.

4. As per the petition, since 1989 the father of the petitioner has been posted to several stations and most of the postings have been for periods less than three years.

5. The respondents have rejected the application for grant of domicile certificate to the petitioner on the ground that the petitioner has not been able to provide residential proof of last three years.

6. Learned counsel for the petitioner submits that the petitioner has an Aadhar Card of the above referred address at Mansrovar Garden and the parents have the voter ID cards at the said address.

7. Learned counsel for the petitioner submits that the petitioner is a permanent resident of Delhi and is domiciled in Delhi and had undertaken studies outside Delhi on account of her father being posted to various stations.

8. Learned counsel for the respondent submits that in case the petitioner submits proof that the property at Mansrovar Garden is an ancestral property, belonging to the family of the petitioner and her family members have been regularly residing therein and further the petitioner is in a position to submit some proof, inter-alia, the electricity bill, water bill, house-tax receipt, telephone bill in the name of the family members of the petitioner for the last three years, the respondents would be able to issue a domicile certificate.

9. Learned counsel for the petitioner submits that the petitioner would be in a position to furnish the requisite documents. He submits that the petitioner would file the application by tomorrow itself. Learned counsel submits that the petitioner requires to submit the domicile certificate for undertaking higher education and the last date for submission of the same is 04.06.2017.

10. The writ petition is accordingly disposed of permitting the petitioner to make an application with the respondent. Since the learned counsel for the petitioner submits that the application shall be filed by tomorrow and the last date of submission of domicile certificate for further admissions by the petitioner is 04.06.2017, the respondents are directed to process the application of the petitioner and issue the domicile certificate by 03.06.2017, if the application is in order.

11. The writ petition is accordingly disposed of in the above terms.

12. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 30, 2017/18