

\$~19

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1841/2016**

SUMITRA

..... Petitioner

Through :Mr. N.S. Dalal and Ms. Toral
Banerjee, Advs.

versus

LAND & BUILDING DEPARTMENT

..... Respondent

Through : Mr. Siddharth Panda, Adv.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **17.05.2017**

Petitioner's application for allotment of alternative plot in lieu of the acquired land has been rejected by the respondent on the ground that complete and proper documents were not submitted by the petitioner despite several letters written by the respondent. Learned counsel for the petitioner submits that all the necessary and requisite documents were submitted.

It has also been mentioned in the impugned order that entire land of the petitioner was not acquired and some of the land remained unacquired. Learned counsel for the petitioner further submits that petitioner had categorically stated in his application that entire land was acquired, so is his case in this writ petition. Respondent has not mentioned in the impugned order as to how much land of the petitioner was not acquired.

During the course of hearing, learned counsel for the respondent

submits that petitioner will be given another opportunity to submit the documents in prescribed format including the complete revenue records along with the affidavit thereby giving details in respect of the ownership and area of the total land, so as to verify the facts from the revenue records and the Award. It is submitted that matter may be remanded back for reconsideration.

Accordingly, impugned order is set aside and matter is remanded back to the respondent for reconsideration of the application of the petitioner. It is made clear that petitioner shall submit all the requisite documents including the affidavit supported by revenue record, within six weeks. In case, documents are found deficient by the respondent in any respect, it shall ask the petitioner to submit such documents in another two weeks. Such additional documents be thereafter furnished by the petitioner to respondent within two weeks. Opportunity of personal hearing be also accorded to the petitioner. Application be disposed of by the respondent expeditiously and as per the seniority.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

MAY 17, 2017/rb