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

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Judgment delivered on: 06.03.2017

+ **W.P.(C) 1933/2017**

OM PRAKASH

..... Petitioner

versus

UNION OF INDIA

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Ms Zubeda Begum and Ms Sana Ansari with petitioner in person.

For the Respondent: Mr Abhishek Khanna for UOI.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

06.03.2017

SANJEEV SACHDEVA, J. (ORAL)

CM No.8584/2017 (exemption)

Allowed, subject to all just exceptions.

W.P.(C) 1933/2017 & CM No.8583/2017(interim direction)

1. The petitioner has filed the present petition seeking a direction to the respondent to allot a ground floor or first floor Quarter instead of third floor Quarter in Sadiq Nagar on medical grounds.

2. It is contended that petitioner was earlier allotted a Quarter in Nauroji Nagar, however, in view of the Re-development Plan of Nauroji Nagar, the petitioner was allotted an alternative Quarter at Sadiq Nagar. The allotment in Sadiq Nagar Quarter is on the third floor.

3. It is submitted that the wife of the petitioner is a cardiac patient and suffers from other ailments and it is medically not advisable her to climb to the third floor.

4. The petitioner had given a representation to the respondents to consider allotting the petitioner a Quarter either on the ground floor or on the first floor.

5. Issue notice. Notice is accepted by learned counsel for the respondent.

6. Learned counsel for the respondent, under instructions, states that the respondents have decided to allot flat being Quarter No.100, Laxmi Bai Nagar, New Delhi, which is a first floor accommodation.

7. Learned counsel for the petitioner submits that allotment of the said Quarter is acceptable to the petitioner.

8. In view of the above, the Writ Petition is disposed of directing respondents to allot Quarter No.100, Laxmi Bai Nagar, New Delhi, to the petitioner.

9. Learned counsel for the respondent submits that the Quarter would be made habitable and the possession thereof offered to the petitioner within two weeks from today. His submission is taken on record.

10. With regard to the prayer for grant of relocation allowance, the petitioner is permitted to make an application. The respondent shall consider the application, if any, made by the petitioner for reimbursement of relocation expenses, keeping in view the peculiar facts of the case, that the petitioner is being shifted on account of the re-development project and not because of his request.

11. The Writ Petition is disposed of in the above terms.

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

March 06, 2017

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SANJEEV SACHDEVA, J