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

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Judgment delivered on: 07.03.2017

+ **W.P.(C) 2067/2017**

BHAGWAN SINGH

..... 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. Jasmeet Singh, CGSC for respondent No.1.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

07.03.2017

SANJEEV SACHDEVA, J. (ORAL)

CM No.9074/2017 (exemption)

Allowed, subject to all just exceptions.

W.P.(C) 2067/2017 & CM No.9073/2017(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 R.K. Puram 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 R.K. Puram. The allotment in R.K. Puram Quarter is on the third floor.

3. It is submitted that the mother of the petitioner is over 80 years of age and suffers from various ailments and it is medically not advisable for 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, submits that old age is not a ground for seeking an accommodation either on the ground or the first floor, however, in the peculiar facts of the case and also on account of the fact that the petitioner is eligible as per his seniority, the respondents have decided to allot a quarter to the petitioner on the first floor in Nanak Pura.

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 a quarter on the first floor at Nanak Pura 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. Since this order has been passed in the peculiar facts and circumstances of the case, the same shall not be treated as a precedent.

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

SANJEEV SACHDEVA, J

March 07, 2017
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