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

+ W.P.(C) 3691/2012 and C.M. Appl. Nos.7747/2012 & 1715/2013

KAMAL NARIAN SAXENA Petitioner
Through: Mr. Dilip Singh, Advocate

versus

DELHI DEVELOPMENT AUTHORITY Respondent
Through: Mr. Rajiv Bansal, Senior Advocate
with Mr. Gurmehar Sistani, Advocate

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
26.04.2017

1. Mr. Rajiv Bansal, learned senior counsel for Delhi Development Authority, submits that DDA has taken the decision to restore the allotment of the petitioner's plot in the current pre-determined rate of developed area/zones for the year 2016-17 and the cost of the plot and restoration charges have been determined as Rs.9,74,848/- out of which after adjusting the amount already paid by the petitioner, the petitioner is liable to pay a further sum of Rs.5,99,226/- to Delhi Development Authority.
2. Learned counsel for the petitioner submits that the petitioner had deposited Rs.3,70,000/- with Delhi Development Authority on 21st December, 2010 and the petitioner is entitled to the interest on the said amount.
3. There is merit in the petitioner's contention. Since Delhi Development Authority is charging current pre-determined rate, Delhi Development Authority shall give adjustment of the interest @ 7% per annum on Rs.3,70,000/- from 21st December, 2010 to 14th March, 2017.

4. Delhi Development Authority is directed to issue a demand letter to the petitioner in terms of this order within a period of two weeks from today. The demand letter be sent to the petitioner at the address given in the petition and a copy thereof be also sent to his counsel. The petitioner shall deposit the amount within a period of four weeks of the demand letter being issued. Delhi Development Authority shall hand over the possession of the plot to the petitioner within six weeks upon the petitioner fulfilling all necessary formalities.
5. The writ petition is disposed of in the above terms.
6. Copy of this order be given *dasti* to counsels for the parties.
7. Pending applications are disposed of.

J.R. MIDHA, J.

APRIL 26, 2017
rsk