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

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Judgment delivered on: 28.04.2017

+ **W.P.(C) 3613/2017**

RAVINDER AND ORS

..... Petitioners

versus

GOVT OF NCT OF DELHI

..... Respondent

+ **W.P.(C) 3653/2017**

PANNA LAL SHAHU AND ORS

..... Petitioners

versus

GOVT OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioners :

Mr M.Hasibuddin, Advocate.

For the Respondents :

Mr Parvinder Chauhan and Mr Nitin Jain, Advocates for
DUSIB.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

28.04.2017

SANJEEV SACHDEVA, J. (ORAL)

CM No.15863/2017 (exemption) in W.P.(C) No.3613/2017

CM No.16084/2017(exemption) in W.P.(C) No.3653/2017

Allowed, subject to all just exceptions.

W.P.(C) 3613/2017 & W.P.(C) 3653/2017

1. The petitioners, by the present petition, seek a direction to the respondent to re-consider the case of the petitioners based on the fresh documents that they have been able to trace out and filed with the respondents.

2. Learned counsel for the petitioners submits that when the case of the petitioners was earlier examined, they were not in possession of these documents and they have been able to procure the same subsequently. He submits that documents have been filed with the respondents, however, the respondents have refused to reconsider the case and take into account the fresh documents.

3. Learned counsel for the petitioners submits that copies of the documents have already been furnished to the respondent and no further document is sought to be filed.

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

5. Learned counsel for the respondent submits that time was earlier granted to the petitioners and other claimants to file documents, the entire adjudicatory process took place approximately three years, and that is the reason why the fresh documents have not been taken into account.

6. He further submits that in terms of the policy of the respondent,

only ration card and voter identification card are liable to be taken into account. He submits that it has come to light that some persons had sought review on the basis of forged and fabricated documents. Since the petitioners have not placed any of the documents on record of this petition he is not in a position to state whether the fresh documents can at all be looked into.

7. Since the petitioners are *jhuggi* dwellers and the contention is that they did not possess these documents, when the earlier scrutiny was taking place, and have been able to procure these documents subsequently, I deem it expedient and in the interest of justice to direct the respondents to re-examine the claim of the petitioners.

8. It is clarified that this court has not examined the admissibility or the genuineness of the additional documents. The Respondents would be at liberty to ascertain whether the additional documents are liable to be considered in terms of the policy and are authentic and genuine. Only if the documents are liable to be considered in terms of the policy and are found to be authentic and genuine, would the respondents re-consider the case of the petitioners.

9. It is clarified that only the documents that have already been submitted by the petitioners would be liable to be considered in the above terms and the petitioners would not be entitled to furnish any further documents. However, petitioner would be entitled to produce the originals of the documents, copies of which have already been

filed.

10. The respondents are directed to complete the process of reassessment within a period of two months from today.

11. The result of the re-assessment shall be communicated to the petitioners, through the Advocate on record for the petitioners.

12. The Writ Petitions are accordingly disposed of.

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

APRIL 28, 2017

'Sd'

SANJEEV SACHDEVA, J

