

\$~63

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

+ W.P.(C) 9469/2017

SMT. URMILA SHARMA

..... Petitioner

Through: None.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr Arjun Pant, Advocate for DDA.

Mr Rakesh Kumar Dudeja, Standing
Counsel for SDMC/R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

27.10.2017

CM No.38527/2017

1. Allowed, subject to all just exceptions.

W.P.(C) 9469/2017 & CM No.38526/2017

2. None appears for the petitioner.

3. Issue notice. The learned counsel for the respondents accepts notice.

4. The petitioner claims to be the owner of the property admeasuring 200 sq. yards, which is described as Plot No.1, opposite Property No.C-4/141, Safdarjung Development Area, New Delhi. The grievance of the petitioner is that the said property is not included in the lay out plan of the Safdarjung Development Area (Bhimnagari). The petitioner is further aggrieved as the mutation of the said plot in the name of the petitioner has not been carried out. The petitioner, accordingly, prays that direction be issued for the property in question be included in the lay out plan and

respondent no.1 be further directed to give a NOC for mutation of the property in the name of the petitioner.

5. The petitioner further claims that the said property is a residential property and the petitioner and his family have been residing there for the last four decades. The petitioner has also been provided electricity and water connections and it is asserted that the petitioner has been paying house tax regularly since past several years.

6. Mr Pant, learned counsel appearing for respondent no.2 states that in all probability the area in question has been handed over to the SDMC/respondent no.3.

7. In the aforesaid circumstances, this Court considers it apposite to direct respondent nos.2/ 3 (DDA/ SDMC) to consider the issues raised in the present petition as a representation and pass an appropriate order. In the event there is any controversy as to whether the area in question has been handed over to SDMC, the same shall be determined at the joint meeting held between the DDA and SDMC. The Vice Chairman, DDA shall determine the venue of such meeting and communicate the same to respondent no.3.

8. It is further directed that the aforesaid representation be decided by the concerned authority within a period of three months from today.

9. The petition is disposed of with the aforesaid directions.

10. Order *dasti*.

VIBHU BAKHRU, J

OCTOBER 27, 2017
MK