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

+ **W.P.(C) 597/2018**

SHRI BALRAM YADAV AND ANR.

..... Petitioners

Through: Mr.Vishal Singh & Ms.Jyoti Kataria
Bajaj, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr.B. Mahapatra & Ms.Neelam
Singh, Advs. for R-1.
Mr.Devesh Bhatnagar & Mr.Yeeshu
Jain, Advs. for R-2.
Mr.Arjun Pant, Adv. for DDA.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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20.04.2018

Vide the present petition, the petitioners have sought a direction to the respondents to consider and decide their application dated 20.04.1989 for allotment of alternate plot under the scheme of allotment of alternate plot dated 02.05.1961.

Learned counsel for the petitioners submits that the petitioners' application was kept pending on the ground that the same could not be considered till they receive compensation. He submits that even though the petitioners had received the compensation after obtaining a probate certificate, the respondents have failed to take any action thereon.

On the last date, learned counsel for the respondents had sought time to take instructions. Today, Mr.Mahapatra, learned counsel for respondent No.1 after obtaining instructions, is unable to dispute the fact that till date, the respondents have not passed any order on the petitioners' pending application dated 20.04.1989, even though they had duly submitted their probate certificate to the respondents.

In view of the above, I am of the considered opinion that it would be in the interest of justice if the respondents are directed to pass a reasoned and speaking order by treating the petitioners' writ petition as a representation and dispose of the same within 12 weeks.

Needless to say that while passing a final order, the respondents, will keep in mind the aforesaid fact that the petitioners' application dated 20.04.1989 is still pending unactioned with the respondents. In case the petitioners are aggrieved by any order passed by the respondents, it will be open for the petitioners to take legal recourse as permissible under law.

The petition is disposed of in the above terms.

REKHA PALLI, J

APRIL 20, 2018

gm