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

+ W.P.(C) 1039/2018

PITAM SINGH

.....Petitioner

Through: Mr. N S Dalal and Mr.Amit
Dhankhar, Advocates

versus

LAND & BUILDING DEPARTMENT

.....Respondent

Through: Ms. Ruchika Rathi, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

01.10.2018

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Impugned order of 13th November, 2017 (*Annexure P-1*) rejects petitioner's application for allotment of alternate plot in lieu of acquired land on the ground that petitioner had not furnished the requisite documents i.e. *Complete Revenue Record, Aadhar Card, Copy of Award and Statement, Payment Certificate Affidavit/I. Bond, Occupancy Status, Status* of land in r/o claim of alternative plot, inspite of being given sufficient opportunity. In the counter affidavit filed by the respondent the petitioner was requested to furnish the following documents:

1. Complete revenue record (Khatauni) in original in the form of P6 for the year prior to issue of notification u/s 4 of LA Act duly attested by the Revenue Authorities.
2. Payment Certificate in original in r/o compensation amount.
3. Copy of Aadhar Card.

4. Affidavit in prescribed format for not owning immovable property in urban areas of Delhi including Group Housing Society membership details.
5. Indemnity Bond (in original) in favour of President of India through Pr. Secretary (L&B) duly registered with Sub Registrar.
6. Status of remaining land.
7. Certified copy of the Award & Statement A or copy of Cheque of Compensation.
8. Any other ownership status of 10, Sarai Kale Khan, Delhi.

Learned counsel for petitioner submits that deficient documents would be positively supplied to the respondent. It is also submitted that the age of petitioner be considered in light of the copy of Voter ID Card. Let it be so done.

The deficiencies in the application was made known to petitioner and similarly situated persons, by way of public notice in the leading newspapers.

Upon hearing and on perusal of impugned order and the material on record, I find that for the delay occasioned in not furnishing the requisite documents, petitioner ought to be put to terms.

In the facts and circumstances of this case, it is deemed appropriate to give one opportunity to petitioner to make up the deficiencies, while putting petitioner to terms. Subject to petitioner depositing cost of ₹15,000/- with Prime Minister's National Relief Fund within a period of six weeks and upon producing the proof of deposit alongwith the documents sought, petitioner's application for allotment of alternate plot in lieu of the acquired land, be reconsidered within a period of sixteen

weeks and the fate of petitioner's application be made known to him within four weeks thereafter, so that petitioner may avail of the remedies as available in law, if need be.

With the aforesaid directions, this petition is disposed of.

SUNIL GAUR, J

OCTOBER 01, 2018

v