

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

Date of Order: August 29, 2018

+ W.P.(C) 4747/2018

CHARAN SINGH

..... Petitioner

Through: Mr. Sanjay Singh, Advocate

Versus

GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Yeeshu Jain, Standing Counsel
with Ms. Jyoti Tyagi, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

(ORAL)

C.M. 35041/2018 (u/S 151 CPC)

By way of this application, petitioner prays for condonation of delay in filing the additional affidavit in terms of last order. Upon hearing, I find that sufficient cause is shown to condone the delay occasioned.

The application is allowed and additional affidavit filed along with this application is taken on record.

Application is disposed of.

W.P.(C) 4747/2018

1. Impugned order of 8th August, 2014 (*Annexure P-1*) rejects petitioner's application for allotment of alternate plot in lieu of acquired land on the ground that following documents have not been submitted:-

- i. Surviving Member Certificate
- ii. Relinquishment deed executed by the other legal heirs of the deceased
- iii. Proper Indemnity Bond duly registered with Sub Registrar office in favour of President of India through Secretary (L&B), GNCTD

2. Learned counsel for petitioner draws attention of this Court to the application for submission of documents (*Annexure P-2*) filed on 24th September, 2013 and another application of 10th January, 2014 (*Annexure P-3*) vide which the deficient documents were supplied to respondents. The copies of applications (*Annexure P-2 & P-3*) have been obtained under *Right to Information Act, 2005* and its bare perusal reveals that infact documents were submitted.

3. In view of aforesaid, impugned order is set aside with direction to respondent to re-consider petitioner's application for allotment of alternate plot within twelve weeks and if any deficiency is still found, then petitioner be called upon to make up the deficiency within a week. Upon reconsideration, the fate of petitioner's application be made known to him within two weeks thereafter, so that petitioner may avail of the remedies, as available in law, if need be.

4. With aforesaid directions, this petition is disposed of.

A copy of this order be given *dasti* to counsel for the parties.

(SUNIL GAUR)
JUDGE

AUGUST 29, 2018

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