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

+ **W.P.(C) 4868/2018**

SURENDRA SINGH

..... Petitioner

Through Ms Zubeda Begum, Advocate with
Ms Sana Ansari, Ms Mrigna Shekhar, Advocates.

versus

UNION OF INDIA

..... Respondent

Through Mr Rajesh Gogna, CGSC for R1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.09.2018

C.M. No.18780/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 4868/2018 & C.M. No. 18779/2018

3. The petitioner is a Government employee and had joined service on 19.02.1992. On 29.08.2015, the petitioner was allotted a flat at Aliganj, New Delhi on the basis of the petitioner's entitlement.
4. The petitioner states that he suffered a severe heart problem and also developed hypertension and breathing problems. Due to his medical condition, the petitioner applied requested for allotment of a flat on ground floor at Netaji Nagar. This was convenient to him as it was close to Safdarjung Hospital and Primus Hospital where the petitioner was being treated.

5. The petitioner was, thereafter, allotted a ground floor flat (Quarter No. E-1639) on 29.05.2016, which was handed over to him on 03.08.2016. Thereafter, the petitioner exchanged the allotment for flat bearing no E-1507, Netaji Nagar.

6. Since, Netaji Nagar is one of the colonies that is being re-developed, the petitioner was called upon to vacate the said premises.

7. In terms of the policy then in vogue, the petitioner applied for accommodation through the automated system of allotment of GPRA. The petitioner states that he applied on three different occasions but was unsuccessful and could not secure an allotment.

8. The petitioner has since been allotted an accommodation at R.K. Puram and he has also vacated the flat at Netaji Nagar.

9. Ms Zubeda Begum learned counsel appearing for the petitioner contends that the petitioner had been incorrectly categorized and treated as a person who had not participated in the cycle of allotment process. She submits that the petitioner ought to have been treated as a person who had applied for allotment under the automatic system but was unsuccessful.

10. Mr Rajesh Gogna, learned counsel appearing for the respondents states that the petitioner would have been categorized under category (iv) after due verification, nonetheless, the respondents would review the same and if the petitioner has been incorrectly categorized they shall provide him the relief if feasible.

11. In view of the above, the respondents are directed to examine the

petitioner's grievance of being incorrectly categorized. The petitioner has not shifted to the accommodation allotted. In view of the above, if the petitioner was incorrectly categorized, the respondents shall rectify the same and provide a flat as per his entitlement under the extant policy.

12. The petition is disposed of with the aforesaid directions. The pending application is also disposed of.

VIBHU BAKHRU, J

SEPTEMBER 10, 2018

pkv