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

+ **W.P.(C) 6806/2018, CM No. 25886/2018**

SUDESH KUMAR

..... Petitioner

Through: Mr. Naresh K. Daksh, Adv.

versus

GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Yeeshu Jain, Standing Counsel
for L&B

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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01.08.2018

No counter affidavit has been filed.

1. The present petition has been filed by the petitioner challenging the communication dated October 18, 2017 whereby his request for allotment of alternative plot has been rejected on the ground that the requisite documents i.e. Affidavit, SMC/R-Deed, Occupancy have not been furnished by him.
2. Learned counsel for the petitioner has drawn my attention to page 8 of the writ petition to contend that the petitioner has submitted all the documents and the same are available on the record of the respondent. He

states, without joining any issue with the respondent, the petitioner is ready and willing, once again to submit the said documents as sought for, vide impugned communication to enable the respondent consider the petitioner's application for allotment of alternative plot, subject to any condition this Court may impose.

3. Mr. Yeeshu Jain, learned Standing Counsel appearing for the respondent justifies the impugned communication dated October 18, 2017. He acknowledges the fact that this Court in a similar matter in the case of ***W.P. (C) 5186/2018, Bhanwar Singh vs. Land & Building Department***, vide order dated May 22, 2018 has directed the petitioner / applicant to submit requisite documents, and for reconsideration of the application for allotment of alternative plot by the respondent, subject to payment of cost of Rs.15,000/-.

4. Noting the submissions made, and in view of order of this Court in ***Bhanwar Singh (supra)*** the communication dated October 18, 2017 is set aside. The petitioner shall furnish the documents named in the communication dated October 18, 2017 within six weeks from today. If any deficiencies are found in the documents submitted by the petitioner, the same shall be communicated to the petitioner within two weeks of

consideration by the Recommendation Committee. The deficiencies if any shall be cured by the petitioner within two weeks thereafter. The respondent through its Committee shall consider the documents and decide the application on merits and communicate the decision to the petitioner. The reconsideration is subject to payment of cost of Rs.15,000/- to be deposited with the Delhi High Court Advocates Welfare Trust within four weeks from today. The petitioner shall submit the proof of deposit of cost to the respondent along with the documents.

5. The petition is disposed of as such. If the petitioner is still aggrieved by the order to be passed by the respondent, liberty shall be with the petitioner to seek such remedy as available in accordance with law.

CM No. 25886/2018

Dismissed as infructuous.

V. KAMESWAR RAO, J

AUGUST 01, 2018/aky