

#85

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 11.07.2018

W.P.(C) 7110/2018

SMT. ARCHANA SAINI

..... Petitioner

versus

DELHI DEVELOPMENT AUTHORITY

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Ajay Talesara and Mr. S.V. Vats, Advocates
For the Respondent : Mr. Arjun Pant, Advocate

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

CM APPL.27045/2018 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

W.P.(C) 7110/2018 & CM APPL.27044/2018 (Stay)

1. The present petition under Articles 226 & 227 of the Constitution of India instituted on behalf of the petitioner prays as follows:-

“Under the facts and circumstances stated herein above, it is, therefore, most respectfully prayed that this Hon’ble Court may graciously be pleased to:-

- a) Issue a writ, order or direction in the nature of mandamus or any other appropriate writ for execution of Supplementary Lease Deed in respect of Plot No.870, Block No.C, Pocket 2, Sector 28, measuring 32 sq. metres. In Rohini Residential Scheme, 1981, under LIG category, Delhi in favour of the petitioner.
- b) Any other appropriate writ, order or directions as may be deem fit and proper under the facts and circumstances of the case may also be passed in favour of the petitioner and against the respondent.”

2. Notice.

3. Mr. Arjun Pant, learned Standing Counsel accepts notice on behalf of the respondent/DDA.

4. With the consent of counsel for the parties the present writ petition has been heard finally and disposed of with the following order.

5. Learned counsel appearing on behalf of the petitioner invites my attention to a communication bearing No.F.37(1923) 03/LAB(Rohini)/20732 dated 26.12.2006, addressed by the DDA to the petitioner, whereby the latter was directed to deposit a sum of Rs.6,432/- in the State Bank of

India/Central Bank, Vikas Sadan, INA, New Delhi within a period of 30 days from the date of issue of the said communication, for taking further action for execution of a Supplementary Lease Deed in relation to the subject property.

6. Learned counsel appearing on behalf of the petitioner further invites attention of this Court to the application annexed as Annexure P-4, which is a copy of the challan dated 19.01.2007, issued by the Central Bank, whereby the said sum of Rs.6,432/- was deposited.

7. It is, therefore, urged on behalf of the petitioner that the DDA ought to be directed to take further action, in accordance with law, for the execution of the Supplementary Lease Deed, in relation to the subject property.

8. Mr. Arjun Pant, learned counsel appearing on behalf of the DDA states that in terms of the said communication dated 26.12.2006, annexed as Annexure P-3 to the accompanying writ petition, and in view of the circumstance that the amount directed to be deposited thereunder, has been so deposited on behalf of the petitioner, the latter's representation to take further action for execution of the Supplementary Lease Deed shall be taken, within a period of eight weeks from today, in accordance with law, under intimation to the petitioner.

9. Directed accordingly.

10. With the above directions, the writ petition is disposed of. The pending application also stands disposed of.

**SIDDHARTH MRIDUL
(JUDGE)**

JULY 11, 2018
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