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

+ **W.P.(C) 7014/2018**

SMT. LAXMI

..... Petitioner

Through: Ms. Toral Banerjee, Adv.

versus

LAND AND BUILDING DEPARTMENT

..... Respondent

Through: Mr. Yeeshu Jain, Standing Counsel
for L&B with Ms. Jyoti Tyagi, Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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01.08.2018

1. The present petition has been filed by the petitioner challenging the letter dated October 16, 2017. Vide the said letter the respondent has rejected the request of the petitioner for allotment of alternative plot on the ground that the petitioner had not submitted requisite documents like Affidavit/I. Bond, Complete Revenue Record, SMC, R-Deed, Death Certificate, Award and Statement.

2. Ms. Toral Banerjee states, even though the said documents have been submitted by the petitioner, without joining any issue with the respondent,

the petitioner is ready, once again to submit the said documents to enable the respondent consider the petitioner's application for allotment of alternate plot, subject to any condition this Court may impose. She has referred to an order dated May 22, 2018 passed by this Court in ***W.P. (C) 5186/2018, Bhanwar Singh vs. Land & Building Department*** in support of her contention.

3. Mr. Yeeshu Jain, learned counsel appearing for the respondent justifies the impugned letter dated October 16, 2017. He acknowledges the fact that this Court in a similar matter 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 16, 2017 is set aside. The petitioner shall furnish the documents named in the communication dated October 16, 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 merit 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, the liberty shall be with the petitioner to seek such remedy as available in accordance with the law.

V. KAMESWAR RAO, J

AUGUST 01, 2018/ak