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

+ W.P.(C) 8304/2018

SH. RAJINDER SINGH Petitioner

Through: None.

versus

GOVT. OF NCT OF DELHI Respondent

Through: Mr Ankur Chhibber, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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29.08.2018

1. None appeared for the petitioner on the first call and the petition was passed over. None appears for the petitioner on the second call as well.
2. The petitioner has filed the present petition, *inter alia*, impugning an order dated 16.08.2017 passed by the Sub-Divisional Magistrate, Patel Nagar rejecting the petitioner's application for grant of ex-gratia payment of ₹2 lakhs as compensation for families of 1984 riot victims, who had migrated to Punjab.
3. The impugned order indicates that the said compensation has been denied to the petitioner as he had failed to provide any document or material to establish that he and his family had migrated to Punjab. The application filed by the petitioner for seeking such compensation was not filed along with the petition. The learned counsel for the petitioner had further contended that the petitioner had not retained a copy of the same.

Accordingly, the respondents were called upon to produce the same. The learned counsel appearing for the respondents has handed over a copy of the relevant documents, which clearly indicate that the petitioner had not provided any evidence at all of having migrated to Punjab after the 1984 riots.

4. The learned counsel appearing for the respondent has also drawn the attention of this Court to the scheme of Rehabilitation package dated 16.01.2006, which indicates that the Government of various states were required to grant ex-gratia amount and other assistance to victims of 1984 riots as per the guidelines provided therein. In terms of the said guidelines, the petitioner was entitled to ex-gratia payment for damage to residential properties and damage to uninsured commercial/industrial properties. Since the petitioner had claimed that his factory, which was located at Village Nawada, Najafgarh Road, New Delhi had been set ablaze, he was entitled to ex-gratia payment for the same. Undisputedly, the said ex-gratia payment was disbursed to the petitioner.

5. The petitioner now seeks further compensation under Clause (xii) of the said guidelines, which reads as under:-

“(xii) Approximately 22,000 families of victims of the riots, which migrated to Punjab from other riot affected States and are still living there, would be paid Rehabilitation Grant @ Rs.2 lakh per family. Similarly, placed families of victims of the riots living in other States may also be given Rehabilitation Grant at the rate of Rs.2 lakh per family.”

6. It is once clear from the plain reading of the above clause that the rehabilitation grant of ₹2 lakhs is only available to the families of victims

that had migrated to other states. Since the petitioner has failed to establish that he and his family had settled down in Punjab after the 1984 riots, the impugned order cannot be faulted.

7. It also appears that the petitioner's application for such grant, which was made on 01.06.2015, was highly belated and filed after the scheme was closed.

8. In view of the above, no interference is called for by this Court.

9. The petition is dismissed for non-prosecution as well as on merits.

VIBHU BAKHRU, J

AUGUST 29, 2018

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