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

Date of Decision: 12.09.2018

+ W.P.(C) 6493/2017

DALIT PICCHARA VARG ALPSAN KAYAK VIKAS SAMITI

..... Petitioner

Through: Mr. Anand Mishra, Adv.

versus

GOVT OF NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Sanjoy Ghose, ASC, GNCTD
with Mr. Rhishabh Jetley, Adv. for
GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

RAJENDRA MENON, CHIEF JUSTICE (ORAL)

1. This petition in public interest with a prayer that encroachment from the allotted plots be removed, families to whom allotments were made under a scheme in Village Ghogha, Alipur, Delhi in the year 1975-77 be granted possession of the land, is filed by the petitioner organisation, which claims to be representing the interest of the allottees.
2. The writ petition has been filed in the year 2017 i.e. 42 years after the allotments were made from 1975 to 1977 and the delay is explained only by contending that there have been encroachments made in the area after the allotment and till date possession has not been granted. The petitioner's own showing reflects that the encroachment itself started coming up in the

area sometimes in the year 1977-78. If the allotments were made in the year 1975-77 and the allottees were not granted possession, after such a long period of time now in a Public Interest Litigation, we see no reason to make any indulgence. If the allottees were really interested in seeking the benefit of the allotment, they should have approached this Court within a reasonable period of time and the petitioners who are aware of the non-grant of possession should have invoked the jurisdiction within a reasonable period of time. This having not been done, after so many years, we are not inclined to interfere into the matter.

3. The petition is dismissed.

CHIEF JUSTICE

V. KAMESWAR RAO, J

SEPTEMBER 12, 2018

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