

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

Date of Order: September 17, 2018

+ **W.P.(C) 9763/2018 & CM 38022/2018**

SMT. BRIJESH TYAGI

.....Petitioner

Through: Mr. Rohit Kaliyar, Advocate

versus

GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Yeeshu Jain, ASC with Ms.
Jyoti Tyagi, Advocate for respondent No. 1
Mr.Dhanesh Relan, Ms. Gauri Chaturvedi and
Ms. Mrinalini Sharma, Advocates for
respondent-DDA

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Quashing of Minutes of Meeting of 8th September, 2017 (*Annexure A-10*) for allotment of alternate plot and rejection of petitioner's application of 16th January, 2007 seeking allotment of alternate plot in lieu of acquired land, is sought by petitioner while relying upon petitioner's application of 19th September, 2016 (*Annexure A-9*) vide which the documents sought were supplied to the Deputy Director (Alt), Land & Building Department, Vikas Bhawan, New Delhi of the first respondent.

2. Upon notice, learned counsel for first respondent submits that the rejection order has not been enclosed with this petition and so, there is no

basis to quash the aforesaid Minutes of Meeting (*Annexure A-10*). It is submitted that the certified copies of Khatoni, Award, statement-A and occupancy certificate have not been provided and time is sought to give a proper response to this petition.

3. Since the order passed on the basis of the Minutes of Meeting (*Annexure A-10*) has not been placed on record, therefore, this Court is not inclined to entertain this writ petition. Instead thereof, it is deemed appropriate to permit petitioner to make a concise Representation to the first respondent.

4. At this stage, petitioner's counsel submits that a precise Representation alongwith certified copy of sale-deed, Award and the Revenue Record, i.e. Khatoni, which will reflect occupancy status of petitioner as well, would be appended with the Representation which will be filed within four weeks from today. If any such Representation is received by first respondent alongwith certified copies of aforesaid documents, then insistence upon Statement-A and Occupancy Certificate be not made by respondents and instead thereof, the certified copy of the Khatoni be relied upon to reconsider petitioner's application of 16th January, 2007 for allotment of alternate plot in lieu of the acquired land. Needful be done within a period of sixteen weeks and if petitioner's application for allotment of alternate plot is not to be accepted for any reason whatsoever, then a speaking response to petitioner's Representation and fresh order on petitioner's application for allotment of alternate plot be passed by first respondent within the above stipulated time. The fate of the Representation or the application for allotment of

alternate plot be made known to petitioner within four weeks thereafter, so that petitioner may avail of the remedies as available in law, if need be.

5. With aforesaid directions, this petition and the application are accordingly disposed of.

Copy of this order be given *dasti* to learned counsel for the parties.

(SUNIL GAUR)
JUDGE

SEPTEMBER 17, 2018

v

