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

+ LPA 583/2018 & CM APPLs. 42757-58/2018

M/S S.B. INDUSTRIES

..... Appellant

Through: Mr. Dinesh Mohan Sinha and
Mr. Rajeev Kr. Deora, Advs.

versus

GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Ms. Anushree Menon, Adv. for
Mr. Varun Kumar Tikmani, Adv. for
R-1.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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12.10.2018

CM APPL. 42757/2018 (*exemption*)

Allowed, subject to just exceptions.

The application stands disposed of.

CM APPL. 42758/2018 (*condonation of delay*)

In view of the reasons stated in the application, delay in filing the appeal is condoned.

The application stands disposed of.

LPA 583/2018

1. Seeking exception to an order passed by the learned writ court on 28.08.2018 in W.P.(C) No.9034/2018, this appeal has been filed by the appellant under Clause 10 of the Letters Patent.

2. The grievance of the appellant in the writ petition was that the appellant was running an industrial unit at 9/64, Gali Bagachi, Vishwas Nagar, Shahdara, Delhi. In pursuance of certain decision of the Hon'ble Supreme Court, the industrial unit running in non-conforming area was required to be relocated. The case of the appellant is that it filed an application for allotment of alternate plot vide application No.18340 on 27.12.1996 but as no plot was allotted to him and in spite of repeated representation when nothing was done, the writ petition was filed. The writ petition has been dismissed on the ground of delay and laches and the learned writ court indicates that now after a period of more than 22 years no direction can be issued for allotment of alternate plot.

3. The contention of the appellant before us is that the appellant was making representation continuously and it was only after certain directions issued that action was being taken for demarcation of the plot, identification and allotment. Even though learned counsel for the appellant by taking us through various documents tried to justify the delay, we are of the considered view that after 22 years indulgence into the matter cannot be made and in dismissing the writ petition by this consideration. The writ court has not committed any error.

4. The appeal is dismissed.

CHIEF JUSTICE

V. KAMESWAR RAO, J

OCTOBER 12, 2018/kks