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

+ **W.P.(C) 8601/2017**

SHRI BALWAN SINGH Petitioner

Through: **Mr. N.S.Dalal, Advocate**

Versus

LAND AND BUILDING DEPARTMENT Respondent

Through: **Mr. Yeeshu Jain, Standing Counsel**
with **Ms. Jyoti Tyagi, Advocate**

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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23.08.2018

Petitioner's application for allotment of alternate plot in lieu of acquired land stands rejected vide order of 19th May, 2015 (*Annexure P-2*) while observing that the application has been filed beyond the period of one year.

Learned counsel for petitioner submits that the Payment Certificate is of 4th November, 2003 (*Annexure P-1*) and without it, petitioner could not have applied for alternate plot. It is further submitted that for the delay occasioned, petitioner can be put to terms but his application is required to be considered on merits.

Upon hearing and on perusal of impugned order and material on record, I find that the negligence on the part of petitioner is not gross one and so, for delay of 35 days, petitioner can be put to terms. Accordingly,

impugned order is set aside subject to cost of Rupees Ten Thousand to be deposited by petitioner in Prime Minister's National Relief Fund within a period of two weeks. Upon submission of receipt of deposit of cost to the concerned authority, petitioner's application for allotment of alternate plot be decided within a period of twelve weeks. The fate of petitioner's application be made known to him within two weeks thereafter, so that petitioner may avail of the remedies as available in law, if need be.

With aforesaid directions, this petition is disposed of.

(SUNIL GAUR)
JUDGE

AUGUST 23, 2018

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