

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

Date of Order: August 21, 2018

+ **W.P.(C) 9438/2017 & C.M. 38417/2017**

KRISHAN

..... Petitioner

Through: Mr. R.S.Tomar, Advocate

Versus

GOVERNMENT OF NCT OF DELHI & ANR. ... Respondents

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

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. In this petition, a mandamus is sought to respondents to include petitioner's name in the seniority list of recommendees for allotment of alternate plot in North Zone and to allot an alternative plot in the draw of lots at the earliest.
2. Learned counsel for petitioner submits that petitioner had taken recourse to *Right to Information Act, 2005* and as per reply thereto, *petitioner's case for allotment of alternate plot might have been closed in September, 1994*. Counsel for petitioner submits that no such information has been received by petitioner in response to his application (*Annexure-A*).
3. Counsel for respondents at the outset submits that this petition is hit by delay and laches, as the applicant had not bothered to find out the fate of his application for more than two decades.

4. In rebuttal, counsel for petitioner submits that applicant was an illiterate person and even the application (*Annexure-A*) filed by him is thumb marked and the limitation will run against the petitioner only after respondents show that the fate of application (*Annexure-A*) was made known to petitioner.

5. Be that as it may. The relief sought in this petition has become infructuous, as respondents have already closed the case of petitioner for allotment of alternate plot in lieu of acquired land. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with direction to respondents to convey petitioner the fate of his application (*Annexure-A*) within a period of six weeks, so that he may avail of the remedies, as available in law.

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

(SUNIL GAUR)
JUDGE

AUGUST 21, 2018

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