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

+ **W.P.(C) 11557/2017**

SHRI RISHI PAL

.....Petitioner

Through: **Mr. N S Dalal and Mr. Amit
Dhankhar, Advocates**

versus

LAND & BUILDING DEPARTMENT

.....Respondent

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

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

01.10.2018

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Impugned order of 20th November, 2017 (*Annexure P-1*) rejects petitioner's application for allotment of alternate plot in lieu of acquired land on the ground that petitioner had not furnished the requisite documents i.e., *Affidavit in prescribed format, Death Certificate in respect of his father Sh. Khacheru, S.M.C.* in original inspite of being given sufficient opportunity. In the counter affidavit filed by the respondent, it is spelt out that the petitioner has not submitted proper affidavit in prescribed format and it was only after the rejection of the application, that the petitioner filed another affidavit, besides the petitioner did not file the Death Certificate and S.M.C. in original.

Learned counsel for petitioner submits that documents received from the revenue authorities, were submitted vide application of 21st

September, 2016 (*Annexure P-3*) which were duly received by the respondent.

The deficiencies in the application was made known to petitioner and similarly situated persons, by way of public notice in the leading newspapers.

Upon hearing and on perusal of impugned order and the material on record, I find that for the delay occasioned in not furnishing the requisite documents, petitioner ought to be put to terms.

In the facts and circumstances of this case, it is deemed appropriate to give one opportunity to petitioner to make up the deficiencies, while putting petitioner to terms. Subject to petitioner depositing cost of ₹15,000/- with Prime Minister's National Relief Fund within a period of six weeks and upon producing the proof of deposit alongwith the documents sought, petitioner's application for allotment of alternate plot in lieu of the acquired land, be reconsidered within a period of sixteen weeks and the fate of petitioner's application be made known to him within four weeks thereafter, so that petitioner may avail of the remedies as available in law, if need be.

With the aforesaid directions, this petition is disposed of.

SUNIL GAUR, J

OCTOBER 01, 2018

v