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

+ **W.P.(C) 11458/2017**

SHRI AMARDEEP

..... Petitioner

Through: Mr. N.S. Dalal, Adv. and
Ms. Toral Banerjee, Adv.

versus

LAND AND BUILDING DEPARTMENT

..... Respondent

Through: Mr. Yeeshu Jain, Standing Counsel
for L&B/LAC with Ms. Jyoti Tyagi,
Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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16.07.2018

1. The present petition has been filed by the petitioner challenging the letter dated October 17, 2017. Vide the said letter the respondent has rejected the request of the petitioner for allotment of alternative plot on the ground that the petitioner had not submitted requisite documents like complete Revenue Record / Affidavit / Sale Deed / Copy of the Award / Statement of Status of Land / Occupancy. Mr. N.S. Dalal states, even though the said documents have been submitted by the petitioner, without

joining any issue with the respondent, the petitioner is ready, once again to submit the said documents to enable the respondent to consider the petitioner's application for alternative allotment, subject to any condition which this Court may impose. He has referred to an order dated May 22, 2018 passed by this Court in *W.P. (C) 5186/2018, Bhanwar Singh vs. Land & Building Department* in support of his contention.

2. Mr. Yeeshu Jain and Ms. Jyoti Tyagi, learned counsel appearing for the respondent justify the impugned letter dated October 17, 2017. They acknowledge the fact that this Court in a similar matter has directed the petitioner/applicant(s) to submit requisite documents, and for reconsideration of the application for allotment of alternative plot by the respondent, subject to payment of cost of Rs.15,000/-.

3. Noting the submissions made, and in view of order of this Court in *Bhanwar Singh (supra)* the communication dated October 17, 2017 is set aside. The petitioner shall furnish the documents named in the communication dated October 17, 2017 within six weeks from today. Accordingly, the communication dated October 17, 2017 is set aside. If any discrepancies are found in the documents submitted by the petitioner, the same shall be communicated to the petitioner within two weeks of

consideration by the Recommendation Committee. The discrepancies if any shall be cured by the petitioner within two weeks thereafter. The respondent through its Committee shall consider the documents and decide the application by reconsidering the same on merit and take a decision and communicate the same to the petitioner. The reconsideration is subject to payment of cost of Rs.15,000/- to be deposited with the Delhi High Court Advocates Welfare Trust within four weeks from today. The petitioner shall submit the proof of deposit of cost to the respondent along with the documents.

4. The petition is disposed of as such. If the petitioner is still aggrieved by the order to be passed by the respondent, the liberty shall be with the petitioner to seek such remedy as available in accordance with the law.

Dasti.

V. KAMESWAR RAO, J

JULY 16, 2018/aky