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

+ W.P.(C) 11686/2017

SHRI TEK CHAND

.....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 8th 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., *Complete revenue record, Prescribed affidavit, & land status report* inspite of being given sufficient opportunity. In the counter affidavit filed by the respondent, it is spelt out that the petitioner has not submitted complete copy of revenue records as the status of khasra number 316, 319 and 370 not provided as nothing could be ascertained as to whether the same are acquired or not, the petitioner also did not file proper affidavit in prescribed format and the report of the Tehsildar furnished vide letter dated 28.11.2016 shows that part of the land of the petitioner is unacquired.

Learned counsel for petitioner submits that documents received from the revenue authorities, were submitted vide applications of 11th November, 2016 & 31st March, 2017(*Annexure P-2 & P-4*) 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