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

+ **W.P.(C) 11681/2017**

SHRI HO RAM

.....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**

Impugned order of 15th 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 duly attested by competent authority, affidavit duly filled in prescribed format, Certified copy of Award No. 18/76-77* to verify the that complete land is acquired in r/o claim of alternative plot, inspite of being given sufficient opportunity. In the counter affidavit filed by the respondent, it is spelt out that petitioner has not submitted the duly attested revenue records as thrice the petitioner furnished the photocopies of the same and fourth time, the revenue record was attested by Patwari who is not a competent person to attest the revenue record. The affidavit in prescribed format so filed by the petitioner contained fill in the blanks thus the same cannot be considered as valid discharge of submission of documents.

Learned counsel for petitioner submits that documents received from the revenue authorities, were submitted vide applications of 11th February, 2015, 27th February, 2015, 23rd February, 2015, 19th September, 2016, 30th December, 2016 and 4th February, 2017 (*Annexure P-3, P-4, P-5, P-9, P-11 & P-13*) 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