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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ LPA 502/2019 & CM APPL. 34986-34988/2019  
BHIM SINGH & ORS ..... Appellant  
Through Mr. C. Mohan Rao, Mr. Lokesh  
Kumar Sharma, Advocates.

versus

GOVT OF NCT OF DELHI ..... Respondent  
Through Ms. Jyoti Tyagi, Mr. Yeeshu Jain,  
Advocates.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**HON'BLE MS. JUSTICE ASHA MENON**

**ORDER**

% **05.08.2019**

**CM APPL. 34986/2019 & CM APPL. 34987/2019 (Exemptions)**

1. Allowed, subject to all just exceptions.

**LPA 502/2019 & CM APPL. 34988/2019 (condonation of delay of 55 days in filing the appeal)**

1. The six appellants/petitioners out of eight petitioners who had jointly filed W.P.(C) No. 5046/2017, are aggrieved by the order dated 07.05.2019, passed by the learned Single Judge whereunder, the appellants no. 2 & 4 (impleaded as petitioners 2 & 4 in the writ petition) were held as disentitled for any alternate allotment of land in lieu of the land acquired by the respondent/LAC.

2. Mr. Rao, learned counsel for the appellants seeks to peg his case on Rule 17 of the Delhi Development Authority (Disposal of Developed Nazul

**LPA 502/2019**

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Land) Rules, 1981 to urge that the case of the appellants would be covered under the said provision and the judgment in the case of Ranjeet Singh & Ors. Vs. Govt. of NCT of Delhi & Anr. 2017 (166) DRJ 123 [DB] relied on by the other side, would not apply to the facts of the instant case.

3. On inquiring from learned counsel for the appellants as to whether such a plea was taken in the writ petition and urged before the learned Single Judge, he concedes that neither was any such averment made in the writ petition nor was any oral submission to the said effect made before the learned Single Judge. He states at this stage, that he may be permitted to withdraw the present appeal while reserving the right of the appellants to file an application before the learned Single Judge for seeking review of the impugned order 07.05.2019.

4. Leave as prayed for is granted. The appeal is dismissed as withdrawn alongwith the pending application. Needless to state that we have not expressed any opinion on the merits of the present case or the maintainability of the review application which shall be considered and decided in accordance with law.

**HIMA KOHLI, J**

**ASHA MENON, J**

**AUGUST 05, 2019/MK**