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

+ W.P.(C) 6014/2018 and CM APPL. 44373/2018

YOGESH KUMAR & ORS

..... Petitioners

Through: Ms Anupradha Singh, Advocate.

versus

DELHI URBAN SHELTER IMPROVEMENT
BOARD & ORS

..... Respondents

Through: Mr Nitin Jain, Advocate for DUSIB.
Mr Rakesh Kumar, CGSC with Mr
Raghav Nagar, Advocate for UOI.
Mr Nikhil Parikshith, Advocate for R-
2/NHAI.
Mr Nikhil Rohatgi, Mr Shashank
Khurana and Ms Narayani
Bhattacharyya, Advocates for DDA.
Mr Mananjay Mishra, Advocate for
R-4 & 5.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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08.04.2019

1. The petitioners have filed the present petition, *inter alia*, praying that respondent no.1 (hereafter 'DUSIB') be directed to allot alternate dwelling units to the petitioners. The petitioners claim that they were residents of East Vinod Nagar, JJ Nehru Camp, which was demolished for widening of the National Highway-24.
2. The petitioners claim that they are entitled to alternate dwelling units, in terms of the Delhi Slum & Jhuggi Jhopri Rehabilitation and Relocation Policy, 2015.

3. DUSIB has filed its counter affidavit affirming that the respective cases of the petitioners has been examined and the petitioners have been found ineligible for allotment of an alternative accommodation under the said policy. It is further stated that the ineligibility letters have been issued to each of the petitioners.

4. The learned counsel appearing for DUSIB also points out that the petitioners have an alternative remedy of an appeal under Section 45 of the Delhi Urban Shelter Improvement Board Act, 2010 against the decision(s) finding them ineligible for alternate accommodation.

5. In view of the above, the learned counsel appearing for the petitioners seeks to withdraw the present petition with liberty to file appeals before the Hon'ble Lieutenant Governor of Delhi.

6. The petition is dismissed as withdrawn with the aforesaid liberty. It is clarified that if the said appeals are filed within a period of four weeks from today, the same would be considered by the Appellate Authority (Hon'ble Lieutenant Government of Delhi) uninfluenced by the question of delay.

7. The pending application is also disposed of.

VIBHU BAKHRU, J

APRIL 08, 2019
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