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

+ W.P.(C) 4552/2020 & CM APPL. 16452/2020 (stay)

SHRI JOGINDER SINGH

..... Petitioner

Through: Mr. Tanuj Khurana, Mr. Ankur Gupta
and Ms. Anjali Chauhan, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY & ORS..... Respondents

Through: Mr. Dhanesh Relan, Standing
Counsel for DDA.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **28.07.2020**

1. The hearing was conducted through video conferencing.

CM APPL. 16453/2020 (Exemption)

2. Allowed, subject to all just exceptions.

3. The application stands disposed-off.

CM APPL. 16454/2020 (Exemption from Court Fees)

4. Exemption allowed, subject to the condition that the petitioner will file the duly sworn/attested affidavit and the requisite Court fee within 72 hours from the date of resumption of the regular functioning of this Court.

5. The application stands disposed-off.

W.P.(C) 4552/2020 & CM APPL. 16452/2020 (stay)

6. Issue notice.

7. The learned Standing Counsel named above accepts notice on

behalf of the respondents.

8. At joint request, the petition is taken up for disposal.
9. It is the petitioner's case that an eviction order dated 03.07.2020 in PPA Nos. 11-12-13-14-15-16-17-18/2016, has been passed by the learned Tribunal apropos property no.3400, Ranjeet Nagar Site No. 1, South Patel Nagar, New Delhi, admeasuring 845 sq. yds, in which the petitioner-Joginder Singh is shown as an unauthorised occupant. A notice dated 11.07.2016 was addressed to one Joginder Singh s/o Ami Lal, r/o 3400, Ranjeet Nagar, New Delhi.
10. Mr. Tanuj Khurana, the learned counsel for the petitioner, submits that the petitioner was informed by neighbours about the aforesaid notice bearing his name but showing his address as 3400, Ranjeet Nagar. It is the petitioner's contention that he has nothing to do with the property no.3400 in admeasuring 845 sq. yds., therefore the entire proceedings are misdirected apropos him. He claims that his property which bears number 3369, Ranjeet Nagar Site No. 1, South Patel Nagar, New Delhi, is distant for property number 3400 Ranjeet Nagar Site No. 1, South Patel Nagar, New Delhi distant. The petitioner claims to have responded to the said notice, as a matter of caution, and he had adduced documents showing a chain of rights flowing to him in property number 3369. Mr. Khurana states, upon instructions, that the petitioner is not residing in any part of property no. 3400 Ranjeet Nagar Site No. 1, South Patel Nagar, New Delhi.
11. That being the position, the orders passed apropos the property no. 3400, Ranjeet Nagar, South Patel Nagar, New Delhi, would not be

applicable to the petitioner and the Estate Officer, DDA, would be free to take action apropos the unauthorised occupants in property no. 3400.

12.The writ petition, alongwith pending application, is disposed-off in the above terms.

13.The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

JULY 28, 2020

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