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

+ W.P.(C) 8195/2018

SMT. SAVITA DEVI Petitioner
Through Mr.Naresh K.Daksh, Adv.
versus
GOVT. OF N.C.T. OF DELHI Respondent
Through Mr.Shivam Yadav, Adv. for
Mr.Yeeshu Jain, Adv. for LAC and L&B
Ms.Prabhsahay Kaur, Standing Counsel for
DDA/R-2

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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10.02.2020

1. This Writ Petition is filed by the petitioner seeking to impugn the order dated 23.10.2017 by which the application of the petitioner for allotment of an alternative plot in lieu of an acquired land was rejected by the respondent. The case of the petitioner is that the agricultural land situated at village Kilokari, New Delhi which was possessed by Smt.Angoori Devi i.e. mother in law of the petitioner was acquired by the respondent for Planned Development of Delhi vide Award dated 19.06.1992. The compensation was received by his mother in law on different dates and lastly on 20.03.1997. As per the Rehabilitation Policy, on acquisition of said land, Smt.Angoori Devi submitted an application for allotment of alternative plot. The documents that were sought were duly submitted by late Smt.Angoori Devi. It is pleaded that since the respondents have been considering applications as per seniority, the application submitted by Smt.Angoori Devi remained pending. Smt.Angoori Devi

expired on 31.01.2011. The case of Smt. Angoori Devi was taken up on 8.3.2013 by the respondents who required some information and documents. It is pleaded that in the years 2015 to 2017 respondents issued various other letters to the petitioner for submission of Relinquishment Deed and Indemnity Bond. Since some of the legal heirs were minor and studying the petitioner was advised to seek necessary permission or get the documents executed through their natural guardian. While the documents were being prepared the respondents passed the impugned order.

2. The grievance of the petitioner is that the respondents had asked the petitioner for submission of a relinquishment deed executed by other legal heirs of the deceased, indemnity bond in original in favour of President of India through Pr.Secy.(L&B) duly registered with Sub Registrar and status of remaining land and certified copy of Award via communication issued in 2016. Petitioner was in the process of collecting these documents when the impugned order was passed.

3. This court has under similar facts and circumstances *in W.P.(C) 6792/2018, Balesh Kumar vs. Govt. of NCT of Delhi* vide order dated 9.7.2018 condoned the delay in filing documents on imposition of costs.

4. I also cannot help noticing that the petitioner/predecessor of the petitioner had filed an application for allotment of alternate land on 24.4.1997. The respondents themselves took up this application for consideration in 2013 and have rejected the same in 2017. Considering the time taken by the respondents themselves in dealing with the application, it will be in the interest of justice that some further opportunity is granted to the petitioner to file the documents in question.

5. Accordingly, subject to the petitioner paying costs of Rs.15,000/- to the Delhi High Court Advocates' Welfare Trust and subject to filing the necessary documents within six weeks from today with the respondent, the impugned order dated 23.10.2017 shall stand quashed.
6. Thereafter the concerned Committee of the respondent No.1/appropriate officer of respondent No.1 shall reconsider the application of the petitioner based on the freshly filed documents as per law.
7. With the above directions, the petition stands disposed of. All pending applications, if any, also stand disposed of accordingly.

JAYANT NATH, J

FEBRUARY 10, 2020

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