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

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Judgment delivered on: 27.07.2021

+ W.P.(C) 1371/2021

SMT. PREM GHAI & ORS.

..... Petitioners

versus

DISTRICT MAGISTRATE NORTH & ANR.Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Sunil Dahiya, Advocate.

For the Respondent: Mr. Yeeshu Jain, Standing Counsel with Ms. Jyoti Tyagi, Advocate.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner impugns order dated 28.10.2020 whereby the application of the petitioner dated 15.01.2004 for allotment of an alternative plot in lieu of his land acquired in village Shahbad Daulatpur, Delhi has been rejected.
3. With the consent of parties, the petition is taken up hearing today.

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W.P(C) 1371/2021

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4. The impugned order dated 28.10.2020 records that two notices were issued to the petitioner but petitioner failed to submit the requisite documents.

5. The case of the petitioner is that petitioner never received the said notices or became aware of any notice published in the newspaper as their predecessor-in-interest i.e. their father had expired in the year 2009.

6. Learned counsel for the petitioners submits that petitioners are residents of Jalandhar, Punjab and as such were never aware of the requirement of furnishing any further documents to the respondents.

7. Learned counsel for the petitioner relies on a judgment dated 01.10.2018 in W.P(C)11557/2017 titled *Rishi Pal vs. Land & Building Department* wherein in similar circumstances the matter has been remitted to the respondents to reconsider the application for allotment of an alternative plot, putting petitioner to terms for the delay in furnishing the documents.

8. In view of the above, the writ petition is allowed subject to petitioner depositing costs in the sum of Rs. 10,000/- with the PM Cares Fund.

9. Petitioner shall furnish the requisite documents to the respondents within a period of four weeks from today and thereafter

W.P(C) 1371/2021

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the respondents shall consider the application of the petitioners expeditiously preferably within a period of sixteen weeks from the furnishing of documents by the petitioner.

10. The case of the petitioner shall be considered in accordance with law and rules and the seniority of the petitioner.

11. Petitioners shall furnish the receipt of deposit of cost before the competent authority along with submitting his documents within four weeks.

12. Petition is disposed of in the above terms.

13. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.

SANJEEV SACHDEVA, J.

JULY 27, 2021/rk

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