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

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Judgment delivered on: 16.08.2021

+ W.P.(C) 4358/2021 & CM APPL.13283/2021

VINOD KUMAR GUPTA

..... Petitioner

versus

SDM(HQ) & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Amit Mahajan with Mr. Arun Khatri,
Advocates.

For the Respondent: Mr. Yeeshu Jain, Standing Counsel with Ms. Jyoti
Tyagi, Advocate for R-2 & 3.

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 21.01.2021 whereby the application of the petitioner for allotment of an alternative plot as per the Government policy in lieu of acquisition of land of Village Sanoth vide award No.17/2003-04 has been rejected solely on the ground that petitioner has failed to submit the requisite documents within 15 days.
3. The impugned order records that petitioner has not submitted

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W.P(C) 4358/2021

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the complete documents i.e. title deed of property No.4353/55, Second Floor, Naya Bazar, Delhi.

4. Learned counsel for the petitioner submits that petitioner is a tenant in the subject property and had produced the rent receipt. He submits that as there is an ongoing dispute with the landlord, petitioner was not in a position to produce the original sale deed of the said property.

5. Learned counsel submits that with great difficulty petitioner had been able to trace out the registration details of the sale deed and has accordingly obtained a certified copy of the sale deed of property with regard to second floor with terrace roof rights having an area measuring 100.33 sq.mtrs being part of the northern side portion of property No.4053 to 4055 situated at Naya Bazar, Lahori Gate, Delhi.

6. In view of the fact that petitioner has now produced the sale deed dated 16.06.2016 of the second floor allegedly of the subject property, I am of the view that the very basis of impugned order does not survive any further and accordingly the same calls for a remit.

7. In view of the above, the impugned order dated 21.01.2021 is set aside. Matter is remitted to the Recommendation Committee for reconsideration. The Committee shall give an opportunity of personal hearing to the petitioner and thereafter pass a fresh speaking order expeditiously.

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8. All rights and contentions of parties are reserved.
9. Petition is disposed of in the above terms.
10. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.

AUGUST 16, 2021/rk

SANJEEV SACHDEVA, J.



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