

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

% **Date of order: 11th November, 2022**

+ **W.P.(C) 15539/2022**

HEM CHANDER KHATRI Petitioner
Through: Counsel for the petitioner
(Appearance not given)
versus

DISTRICT MAGISTRATE NORTH Respondent
Through: Ms. Jyoti Tyagi, Advocate

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

CHANDRA DHARI SINGH, J (Oral)

1. The instant writ petition under Article 226 of the Constitution of India has been filed by the Petitioner seeking the following reliefs:

“Issue a writ of certiorari or any other appropriate writ, order or direction for calling the record of file No. F.33(82)/11/2005/L&B/Alt./Seniority No.3612 relating to application for allotment of alternative plot in lieu of acquired land of the petitioner: AND

Issue a writ of mandamus or any other appropriate writ, order or direction for the respondent to quash the order/letter no. F.33(82)/11/2005/L&B/Alt./1394 dated 16.03.2021, by which application of the petitioner for allotment of alternative plot was illegally rejected;

To issue direction for respondent to issue recommendation letter in favour of petitioner for allotment of alternative plot to DDA at the earliest...”

2. The facts of the case are that the Petitioner was the bhumidar of the land comprising in Khasra No. 27 (4-16), 28(4-16), 31/1(3-00), 31/2(1-16), 64(4-16), 65(4-16), 66 (4-16) and 67(4-16) total measuring 33 bigha 12 biswas, situated in the revenue estate of village Razapur Kalan, Delhi, to the extent of 1/4th share. In the year 2003, the appropriate Government issued a notification under Section 4 of the Land Acquisition Act, 1894, vide notification no. F.11(21)/L&B/LA/17595 dated 27th January 2003 to compulsory acquire the land measuring 2188 bighas 03 biswas, situated in revenue estate of Village Razapur Kalan, Delhi, and declaration under Section 6 of the Land Acquisition Act, 1894 was published vide notification no. F.11(21)/02/L&B/LA/24072 dated 23rd January 2004 for aforesaid land including the land of the Petitioner.

3. The possession of the acquired land was taken on 6th September 2004, by the appropriate government and the compensation of acquired land under this award to the tune of Rs.40,48,347/- was disbursed to the Petitioner on 23rd September 2004 by the Land Acquisition Collector. Under "Large Scale Acquisition Development & Disposal of Land in Delhi Scheme, 1961" the Petitioner on 2nd August 2005 applied for allotment of alternative plot in his favour, in the office of Land & Building Department, Govt. of NCT of Delhi. The file for making recommendation, created by the office of Land & Building Department, was dealt in file No. F.33(82)/11/2005/L&B/Alt.

4. The office of Respondent sent a letter dated 12th March 2018 to the Petitioner to furnish the required documents, which was submitted by the

Petitioner on 4th April 2018 along with status report of built-up house no.153 dated 23rd December 2017. After considering the seniority list prepared by the Land & Building Department, the office of District Magistrate called the Petitioner for personal hearing in view of the general direction issued by the Delhi High Court and a letter for personal hearing was issued for 28th December 2018. The Recommendation Committee in its meeting held on 28th November 2019 rejected the application of Petitioner and the decision was communicated to the Petitioner on 15th March 2021. Finally a letter/order dated 16th March 2021 was issued by the office of the District Magistrate (North)/Respondent, to the Petitioner, conveying that the (District Level Recommendation Committee) has decided not to recommend the case of the Petitioner, due to non-compliance of above-mentioned notices, public notice and non-submission of requisite documents.

5. Aggrieved by the rejection of his application, the Petitioner has approached this Court by way of the instant writ petition.

6. Learned counsel appearing on behalf of the Petitioner submitted that the land of the Petitioner has been acquired by the acquiring authority and the possession of the land was taken on 6th September 2004. The compensation to the tune of Rs.40,48,347/- which was disbursed to the petitioner on 23rd September 2004 by the Land Acquisition Collector.

7. It is further submitted that the petitioner has filed an application for allotment of alternative plot on 2nd August 2005, but the concerned authority, vide order dated 16th March 2021, rejected the said application,

i.e., after about 16 years. The application for alternative plot was rejected on the ground that the wife of the Petitioner is having a plot/constructed house situated in abadi area. Reference is made to certain clauses of scheme of 1961 including Clause 8 and specific amendment.

8. It is also submitted that neither petitioner nor his wife having plot/constructed house in the abadi area and now the Petitioner has become landless. Therefore, it is submitted that as per the scheme of 1961, petitioner is entitled for an alternative plot.

9. Learned counsel appearing on behalf of the Petitioner has relied on paragraphs 13 and 14 of the judgment passed by the Division Bench of this Court in the case of ***R.P. Vats & Ors. vs. Electric Supply Undertaking & Ors.*** bearing Civil Writ No. 310 of 1987 decided on 7th August 1990. It is further submitted that the other person who is similarly situated has already been granted benefit under scheme of 1961 and therefore the action of the Respondent is arbitrary in nature.

10. *Per Contra*, learned counsel for the Respondent vehemently submitted that the application for the alternative plot of the petitioner has been rejected by the competent authority on two aspects: - *first*, Petitioner has failed to supply the copy of the requisite documents as required, despite giving ample opportunity for supplying the same and giving notice by publication in the daily newspaper and *secondly*, Petitioner's wife is having plot in the village abadi area.

11. It is further submitted that if the scheme has been introduced by the

Government to enable the citizens to have a roof over their head does not mean that the scheme is meant for the enrichment of people. It is also submitted that in view of the law settled by Hon'ble Supreme Court and this Court, it is now settled that if a person is having any plot against acquisition made, he is not entitled for alternative plot. Therefore, there is no illegality in the impugned order passed by the competent authority and the writ petition is liable to be dismissed being devoid of any merit.

12. In the rejoinder, learned counsel for the Petitioner submitted that the petitioner was never given any notice requiring documents to be supplied.

13. Heard learned counsel for the parties and perused the record. The issues to be adjudicated by this Court are:

Issue 1- If the person is having a plot/constructed house in the area of Abadi Area/Lal Dora, would he be entitled for alternative plot under scheme of 1961?

Issue 2- Whether the Petitioner has supplied the requisite document despite sufficient notice being given?

14. This Court has perused the impugned Order and finds it apposite to look at the contents of the same for proper adjudication of the matter. The relevant portion of the impugned Order is reproduced hereunder:-

“Whereas, an application was received from Sh. Hem Chander S/o Mange Ram, R/o H.No.153, Jatoni Wali Gali, Village Tikri Khurd, Delhi- 110040 on 02.08.2005 for allotment of alternative plot as per Government policy in lieu of acquisition of land of village Tikri Khurd vide Award No. 10/2004-05.

Whereas, in the meeting held on 28.11.2019, it has been observed that the case was placed before the Recommendation Committee and it was observed that an application was received on 08.02.2005 from Sh. Hem Chander S/o Mange Ram, Rio H.No.153, Jaton Wali Gali, Village Tikri Khurd, Delhi-110040 on 02.08.2005 for allotment of alternative plot in lieu of his/her acquired land of village TIKRI KHURD vide Award No. 10/2004-05.

Whereas, Committee observed that notice dated 12.03.2018 was issued to the applicant to submit the requisite documents & also two Public Notices dated 13.05.2018 and 23.08.2018 were also published in two dailies i.e. Hindi and English to submit the requisite documents within the period of one month. Further, an opportunity of personal hearing was also provided to the applicant on 28.12.2018.

Whereas the concerned Tehsildar has also inquired into the matter and submitted his report stating therein that applicant is having plot in village abadi Deh as per Tehsildar report.

Whereas, the Hon'ble Supreme Court in the judgment in Civil Appeal No.8289/2010, 8290/2010 of Delhi Development Authority V / s Jai Singh Kanwar has held that "the object of the scheme is that when the land owned by a person is taken away in entirety and he is left without any house or plot, he should be allotted a plot. The scheme therefore provided that only a person who does not own a house/residential plot/flat will be entitled to apply."

Whereas, the Hon'ble High Court of Delhi in WPC No.12306/15 titled as Surender Singh Mann Vs. Govt. of NCT of Delhi decided on 25.08.2017 that "The Policy of the Government as is evident from the scheme was to provide residential plots to farmers whose land has been acquired: it was a rehabilitative measure: meaning thereby that it was to rehabilitate those farmers whose land has been acquired as they has become homeless or landless. In the instant case, the

land of the petitioner has been acquired: yet before his allotment could be processed, the wife of the petitioner has acquired a property in her own name meaning thereby that clause 3 (highlighted supra) created a hurdle in the case of the petitioner and since his wife already owned a plot in her name on the date when the allotment was to be issued, the petitioner was not entitled to an alternative plot. It is also not the case of the petitioner that his wife was not dependent on him."

In view of the position mentioned above, the District Level Recommendation Committee has decided not to recommend the case of Sh. Hem Chander S/o Mange Ram, R/o H.No.1S3, Jaton Wali Gali, Village Tikri Khurd, Delhi-110040, due to noncompliance of above mentioned notices, public notice and non-submission of requisite documents and plot in village abadi Deh."

Answer to Issue 1-

15. In the instant matter, the relevant conditions, which became the ground for rejection of Petitioner's application, were that he held land in abadi area and was not landless and that despite notices being published, he did not provide the requisite documents for consideration of his application.

16. The condition of holding a plot/residential accommodation being a bar for consideration of application of allotment of alternative plot is bar which finds mention in the first as well as the subsequently modified version of the Scheme of 1961. The availability of an existing plot in the name of the owner or any of his dependent, including his/her spouse or even unmarried children, creates a bar on the eligibility of the person to have an alternative plot allotted in his/her favour.

17. The subject matter of the Scheme of 1961 was 'Control of land values

in the Urban Areas of Delhi- Acquisition, development and Disposal of Land’ which came into force on 2nd May 1961 and has been modified from time to time. The Scheme not only provided for measures for controlling value in urban areas but also largely regulated the conditions stipulated for acquisition, development and disposal of land.

18. The objective of the Scheme of 1961 suggests as under:

“The scheme of providing developed residential plots to farmers whose lands are acquired for planned development of Delhi is a rehabilitation measure”

19. Further, in ***Surinder Singh Mann vs. Government of NCT of Delhi, W.P.(C) 12306/2015*** decided on 25th August 2017, the Coordinate Bench of this Court observed as under:-

“7 At this stage, it would also be useful to extract the eligibility criteria of the Government which had been approved by the Government of NCT of Delhi in the year 1961 dealing with allotment of alternate plots. The object of the scheme reads as under:-

“The scheme of providing developed residential plots to farmers whose lands are acquired for planned development of Delhi is a rehabilitation measure”

8 The object thus clearly being to provide developed residential plots to farmers whose land had been acquired for the planned development of Delhi; this being a rehabilitative measure.

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12 The Policy of the Government as is evident from the scheme was to provide residential plots to farmers whose land had been acquired; it was a rehabilitative measure; meaning

thereby that it was to rehabilitate those farmers whose land had been acquired as they had become homeless or landless.”

20. The Coordinate Bench of this Court in ***Amrit Kumari vs. Asst. Housing Commissioner & Ors***, 2016 SCC OnLine Del 1624, also held that a scheme for allotment of alternative plots is purely a welfare scheme formulated to rehabilitate the farmers whose land had been acquired.

21. In ***State of M.P. vs. Narmada Bachao Andolan***, (2011) 7 SCC 639, the Hon’ble Supreme Court elaborated on the general principle and provisions for rehabilitation and observed as under:-

“Land acquisition and rehabilitation: Article 21

26. It is desirable for the authority concerned to ensure that as far as practicable persons who had been living and carrying on business or other activity on the land acquired, if they so desire, and are willing to purchase and comply with any requirement of the authority or the local body, be given a piece of land on the terms settled with due regard to the price at which the land has been acquired from them. However, the State Government cannot be compelled to provide alternate accommodation to the oustees and it is for the authority concerned to consider the desirability and feasibility of providing alternative land considering the facts and circumstances of each case.

27. In certain cases, the oustees are entitled to rehabilitation. Rehabilitation is meant only for those persons who have been rendered destitute because of a loss of residence or livelihood as a consequence of land acquisition. The authorities must explore the avenues of rehabilitation by way of employment, housing, investment opportunities, and identification of alternative lands.

“10. ... A blinkered vision of development, complete apathy

towards those who are highly adversely affected by the development process and a cynical unconcern for the enforcement of the laws lead to a situation where the rights and benefits promised and guaranteed under the Constitution hardly ever reach the most marginalised citizens.” (Mahanadi Coalfields Ltd. case [Mahanadi Coalfields Ltd. v. Mathias Oram, (2010) 11 SCC 269 : (2010) 4 SCC (Civ) 450 : JT (2010) 7 SC 352] , SCC p. 273, para 10)

For people whose lives and livelihoods are intrinsically connected to the land, the economic and cultural shift to a market economy can be traumatic. (Vide State of U.P. v. Pista Devi [(1986) 4 SCC 251 : AIR 1986 SC 2025] , Narpat Singh v. Jaipur Development Authority [(2002) 4 SCC 666 : AIR 2002 SC 2036] , Land Acquisition Officer v. Mahaboob [(2009) 14 SCC 54 : (2009) 5 SCC (Civ) 297] , Mahanadi Coalfields Ltd. v. Mathias Oram [Mahanadi Coalfields Ltd. v. Mathias Oram, (2010) 11 SCC 269 : (2010) 4 SCC (Civ) 450 : JT (2010) 7 SC 352] and Brij Mohan v. HUDA [(2011) 2 SCC 29 : (2011) 1 SCC (Civ) 336] .) The fundamental right of the farmer to cultivation is a part of right to livelihood. “Agricultural land is the foundation for a sense of security and freedom from fear. Assured possession is a lasting source for peace and prosperity.” India being a predominantly agricultural society, there is a “strong linkage between the land and the person's status in [the] social system”.

22. Hence, it is evident that the Scheme of 1961 was introduced as a means to provide for those whose land is acquired for the purposes of development and to ensure that such persons are not rendered homeless or landless in the event of such acquisition.

23. However, the Scheme for alternative plot does not confer a direct and absolute right to any person whose land is acquired. The Scheme provides

for certain conditions which need to be fulfilled, which were updated and modified with time and as per requirements. These conditions acted as eligibility criteria for the land owners whose lands were acquired and who became entitled to be considered for allotment of alternate plot, subject to the conditions laid.

24. These conditions which stood under paragraph 10 of the first Scheme are reproduced hereunder:-

“10. The following conditions shall govern the allotment of land whether by auction or otherwise to individuals (including those whose land has been acquired):

a) No plot should be allotted to any person, who or whose wife/husband or any of his/her dependent relations including unmarried children owns a house or residential plot of land in Delhi, New Delhi or Delhi Cantonment. The question of making an exception in the case of persons living in a congested locality or whose family has out-grown should be considered after some experience has been gained of the working of the scheme.

b) The allottee of a plot should be returned to construct the house in accordance with the sanctioned plans with two years of the date of allotment, failing which the land would be liable to be resumed.

c) The allottee of a plot shall not sell or transfer rights in the plot or part thereof for a period of 10 years from the date of allotment except with the previous approval of the Chief Commissioner which will be given only in Exception circumstances. Thereafter the permission to sell will be given by chief commissioner. In both the cases, 50% of the unearned increase in the value of the plot will be paid to the Government before the transfer is permitted.....”

25. With subsequent amendments and modifications in the successive

years, the Scheme ultimately provided for the following eligibility criteria for allotment of alternate plot:-

“1. The persons who are RECORDED OWNER prior to issue of notification under Section 4 of the Land Acquisition Act.

2. The persons whose lands have been acquired must have received the compensation as rightful owners from the LAC/Court and the Govt. has taken the possession of acquired land.

3. The applicants should not own a house/residential plot/flat out of village abadi in his/her dependent relation's name including unmarried children, nor he should be a member of any Co-operative Housing Society.

4. For awards announced prior to 3.4.86, the land acquired is not less than 150 square yards and for awards announced post 3.4.86, the land must not be less than one bigha.”

26. The Division Bench of this Court in **Government of NCT of Delhi vs. Veerwati, 2012 SCC OnLine Del 1444**, and its connected LPAs, held that there are four requisite conditions for consideration while filing and adjudicating the application for allotment of alternative plot. The relevant portion of the judgment is reproduced hereunder:-

“3. In the year 1961 the Government formulated the scheme for allotment of alternate plots to those land owners whose land is acquired for planned development of Delhi and the land so acquired is placed at the disposal of the DDA. The allotment of alternate plot under this policy was subject to his satisfying, beside others, following conditions:—

a) The application must have been filed within a period of one year from the date of receipt of the compensation.

b) He should be recorded owner of the acquired land prior to the date of issuance of the Notification under Section 4 of the Act.

c) He must have received the compensation for the said land as a rightful owner and the possession of the acquired land has been taken by the Government.

d) Neither he nor his spouse nor any of his dependent children own any residential property in Delhi.”

27. The same have also been reiterated by the Division Bench of this Court in ***Ranjeet Singh vs. Govt. (NCT of Delhi), 2017 SCC OnLine Del 10794***, wherein it was observed as under:-

“3. Clause 10 stipulated further conditions for allotment of alternative plots to individuals. These were:

(i) that the person being allotted the alternative plot should not own any other residential plot in Delhi,

(ii) that a building should be constructed thereon within two years of the allotment and thirdly that the plot cannot be transferred for a period of ten years from the date of allotment except with the permission of the Chief Commissioner.

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10. DDA issued a printed version of the alternative plot allotment scheme outlining eligibility criteria and the norms for the sizes of plots, the procedure to be followed etc. Significantly, a reference was made to the Scheme contained in the letter of the Government of India dated 02.05.1961. It also stated that the plots are allotted by the DDA on the recommendation of the Govt. of NCT in terms of policy prescribed by the latter. There was a stipulation that those eligible, in the case of acquisition of ancestral land had to be recorded owners before the issue of the Notification under

Section 4 of the Act. There was a condition that such individuals should have received compensation as rightful owners and possession of such land should have been taken by the Govt. of NCT of Delhi. The disqualifying condition stipulated was that applicants should not own a house or residential plot in their own name or name of the near and dependent relations. For awards announced prior to 03.04.1986, the land acquired was to be not less than 150 sq. yard and for post 03.04.1986 awards, it was to be not less than 1 bigha. Under the sub-heading procedure followed by the Department, there were two columns for documents to be submitted. The first was in case of applicant being recorded owner at the time of Notification under Section 4 of the Act. The other column was if the applicant was not recorded owner, i.e. is one of the legal heirs of the deceased recorded owner. In the latter case, in addition to the documents required to be submitted by the applicants belonging to the first category, certain other documents like death certificate, heirship certificate, relinquishment deed of other legal heirs and indemnity bond have to be submitted.”

28. An examination of the objective of the Scheme read with the observations made in the abovementioned judgments of the Hon’ble Supreme Court as well as this Court, definitively and unambiguously indicate that the Scheme of 1961 is targeted to those individuals, villagers, farmers etc. who may be rendered homeless or landless upon their land being acquired by the Government, or any Authority under it, for the purposes of development. The very structure of the Scheme suggests that it is a welfare and rehabilitative measure for those affected by the actions taken in the process of development of the State of NCT of Delhi.

29. Being considered for compensation, whether monetary or in the form of alternate plot, is an entitlement which is available to individuals who

fulfil the criteria provided for under the Scheme. Those who lose their homes or their agricultural lands, that are the only source of their livelihood, are the custodians of schemes like these and rightly so need to be facilitated as soon as possible. Such individuals, owners, villagers, farmers and their families cannot and should not be left remediless after their land is acquired.

30. However, it should also be borne in mind that in garb of such welfare schemes, those who have alternative and effective means of sustaining a life do not take unfair advantage of the schemes and welfare provisions of the Government and its Authorities. Keeping in mind the objective of the Scheme, it is found that enforcing an eligibility criterion for consideration of application of allotment of alternate land is not unreasonable or unfair and is in fact required for ensuring that the active and effective measures reach those who are in need.

31. In the instant matter, the perusal of the contents of the impugned Order reveals that as per the report of the Tehsildar the petitioner owns a land in village abadi land. Even if he argues that he does not live in village *abadi* or Lal Dora, it is an admitted fact that he is the owner of a house in Delhi. As discussed above, the position is clear for those individuals whose land has been acquired and who seek alternative accommodation or plot, they are to fulfil the necessary conditions of the Scheme of 1961, in consonance with the objective the Scheme seeks to achieve. The petitioner has relied upon the modified Scheme of 1961, however, has failed to appreciate that the relevant point of the said modified Scheme reads as under:-

- “8. If a landholder himself or his spouse or any other dependent relation, including unmarried children-*
- (a) Is in possession of a residence or residential plot, a part thereof, either on leasehold or free-hold, in the National Capital territory of Delhi except in Village abadi, and/or*
- (b) Has already been allotted/recommended an alternative plot, and/or*
- (c) Is a member of any cooperative House Building Society/Group Housing Society in Delhi, then such a person is not eligible for an alternative plot under this Scheme.”*

32. Hence, in light of this revelation, the petitioner was already ineligible at the first instance as per the mandate of the Scheme of 1961. Therefore, this Court does not find force in the argument of the Petitioner that as per the modification in the year 1993 in Scheme of 1961, if an applicant owns a land in village *abadi*, it will not create a bar for recommending him for allotment of alternative plot. It is pertinent here to refer to **Ranjeet Singh** (*supra*) in this regard.

*“24. As far as the first contention is concerned, that the executive's interpretation that the landowner should not be left with any lands at all is contrary to the letter of the scheme, this Court is unpersuaded by the argument. The object of the scheme clearly stipulates that it is to provide alternative plots to "farmers whose lands are acquired". To take the logic of the appellants, conceivably, one individual may own land in four different parts of Delhi, in three different villages. To say that if portions of land in two villages, affecting two pieces of such landholding are acquired, he would still answer the description of a farmer whose lands are acquired would be stretching the meaning and intent of the scheme. The broad understanding of the authorities and officials of the Govt. of NCT of Delhi, who considered Jai Singh Kanwar (*supra*) and granted or allowed*

applications only where no lands were left at all, with the land owners, is, from this perspective, wholly reasonable. The object, as we understand, of the scheme is not to provide all landowners whose lands are acquired but only to extend benefit to those who lost all their landholdings due to acquisition.

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55. The Court notices that the appellants' argument that ownership of land or residential property in the village or extended abadi is not to be construed as a bar is, no doubt, justified. Yet, the fact that a dispossessed land owner has ownership or possession of a residence in the village, ipso facto, cannot entitle him or her to make an enforceable claim for allotment of alternative plot. Particularly when the left over lands with appellants are urbanized ones."

33. Therefore, Petitioner cannot claim that he has a right to allotment of alternative land merely because he owns a land in abadi area and not in the Lal Dora.

Answer to Issue 2:

34. Further, the petitioner also failed to supply certain documents, as were required by the Committee to consider his application despite there being publication of notices regarding the same, which would have helped his case to show any facts contrary to what was observed by the concerned Authority.

35. The Petitioner has not been able to prove his case for being considered for the allotment of alternate land because of the deficiencies and inaction on his part. The petitioner was granted opportunity at several occasions for submissions of requisite documents and personal hearing for

his case being considered under the Scheme through personal notices as well as through public notice. However, the petitioner failed in appearing before the authorities and submitting the requisite documents.

36. Public Notice is one important means of notification to the citizens at large or to a section of stakeholders regarding a proceeding ongoing before an authority. The ordinary business practice is to publish the public notice in two different languages in widely-circulated newspapers, and containing all necessary information. The said notice must be achievable, accessible and verifiable. In the case of *Sridhar M. A. Vs. Metalloy N. Steel Corporation (2000) 1 SCC 397*, the Hon'ble Supreme Court held that in appropriate cases, deemed service of notice may be accepted by the Court and this will depend on the facts of each case. Accordingly, in the instant case, the public notice made shall be considered to be deemed notice to the petitioner.

37. Therefore, even if, for the sake of argument, the earlier notices are deemed not to be served, the public notice issued by the Respondent in newspapers in two languages – i.e. English and Hindi, shall be deemed to be a valid service, and accordingly the Petitioner cannot claim the benefit of being unserved.

38. Keeping in view the observations and discussions in the foregoing paragraphs and the facts and circumstances, it is found that the concerned authority/respondent appreciated the facts and record before it in light of the established principles of law and in accordance of the scheme of provisions and conditions under the Scheme of 1961 and then passed the impugned Order. With the modifications brought about in the Scheme over the course

of time, the bar to allotment of alternate land to those who have a plot/land/flat in their name or in the name of their dependents etc. has remained a part of the scheme throughout.

39. This Court does not find any illegality, impropriety or error apparent on the face of record in the impugned rejection order dated 16th March 2021, passed by the concerned Authority. There is no reason to interfere with the said impugned Order passed on the application of the petitioner.

40. Accordingly, the instant petition is dismissed. Pending applications, if any, also stand dismissed.

41. The order be uploaded on the website forthwith.

(CHANDRA DHARI SINGH)
JUDGE

NOVEMBER 11, 2022

Aj/Mg