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

% *Decided on: 12th April, 2023*

+ W.P.(C) 12863/2021
NARENDER SINGH

..... Petitioner

Through: Mr. Mohd. Hashim Miyan,
Advocate.

(M): 9457708901

Email: lexismalik.co@gmail.com

versus

LAND AND BUILDING DEPARTMENTT &
ORS.

..... Respondents

Through: Mr. Siddharth Panda, Advocate
for respondent no. 1 to 3.

(M): 9891488088

Email: siddhupanda@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

[Physical Hearing/ Hybrid Hearing]

MINI PUSHKARNA, J. (ORAL):

1. The present writ petition has been filed with prayer for directions to the respondents to review/modify their observation and re-open the file bearing no. F.30 (86)/8971/2008/L&B/ALT, titled as Sh. Surjan Singh S/o Lt. Sh. Charta, Village Kotla Mahi Gram, Delhi.

2. It is submitted that the aforesaid file has been closed by the respondents wherein the father of the petitioner had filed an application vide diary no. 1396 dated 16.09.2008 for allotment of alternative plot in lieu of the acquired land of the petitioner/Predecessor-In-Interest of the petitioner. Thus, there is prayer for allotment of alternative plot to the petitioner being legal

heir of late Sh. Surjan Singh in lieu of acquired land bearing khasra no. 221/1(01-06), 224/1(02-02), 223/1 (03-00), 225/1 (00-05), 225/1/2 (00-06), 221/2 (03-05), 223/2 (00-05), 223/3 (01-11) & 224/2 (02-14) total measuring 14 bighas 14 biswas, situated in the revenue estate of Village Kotla Mahi Gram, New Delhi, to the extent of their respective share i.e. 1/9 share in accordance with the scheme/policy of the Government.

3. Perusal of the records show that the claim of the father of the petitioner for alternative allotment of land was rejected, which the petitioner came to know vide reply dated 03.12.2020 issued by the Land and Building Department, Alternative Branch in reply to an RTI application on behalf of the petitioner. As per the said letter dated 03.12.2020 as issued by the respondents, the case of the father of the petitioner was rejected on the ground that the requisite documents had not been filed.

4. Learned counsel appearing for the petitioner submits that all the documents were duly filed. However, the same were not considered by the Scrutiny Committee.

5. Considering the averments made before this Court, the present writ petition is disposed of with directions to the respondent Land and Building Department (Alternative Branch) to consider the case of the petitioner for allotment of alternative plot of land. In case any documents are required by the respondents, intimation in this regard would be given to the petitioner on the address as given in the memo of parties in the present case, as well as to the counsel for the petitioner Mr. Raj Bahadur Singh, at the address given along with the

memo of parties in the present case.

6. The petitioner is also granted liberty to approach the office of the Land and Building Department (Alternative Branch), Vikas Bhawan, IP Estate, New Delhi-110002 to submit the requisite documents, within a period of four weeks from today.

7. The documents as submitted by the petitioner shall be considered by the respondents at the time of consideration of the case for alternative allotment of land. The petitioner or his representative shall also be granted a hearing by the respondent before passing any order on the application of the petitioner for alternative allotment of land.

8. With the aforesaid directions, the present writ petition is disposed of.

MINI PUSHKARNA, J

APRIL 12th, 2023

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