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

+ **W.P.(C) 7274/2022**

**SHRI TALVINDER SINGH**

.....Petitioner

Through: Mr. Arpit Bhalla, Mr. Rajpal Singh  
and Mr. Jayesh Kohli, Advocates.

versus

**THE GOVT. OF NCT OF DELHI & ANR.**

.....Respondents

Through: Mr. Dhananjaya Mishra and Mr.  
Navneet Dogra, Advocates for R-1.  
Mr. Jivesh Kr. Tiwary, SPC with  
Mr. Anirudh Shukla and  
Ms. Samiksha, Advocates for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**  
**29.08.2024**

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1. On 16<sup>th</sup> May, 2024, the following order was passed:

*"1. The Petitioner has approached this Court for grant of enhanced ex-gratia compensation of Rs.5 lakhs to the Petitioner, who is the nominee and legal heir of Smt. Jasbir Kaur, who was the widow of Shri Avtar Singh, who lost his life during the 1984 Anti Sikh Riots.*

2. On 31.01.2024 this Court passed the following order:

*"1. On 20.12.2023 this Court had directed the Petitioner to hand-over a physical copy of the representation to the learned Counsel for the Respondent to ascertain as to whether the Petitioners are entitled to the relief as prayed for in the Writ Petition or not.*

*2. It is stated by the learned Counsel for the GNCTD that the Petitioner has yet not filed the affidavit entailing details of the demise of his mother during the 1984 riots and the fact that compensation of 3.3 lakhs and 3.5 lakhs has been received in 1997 and 2006 respectively.*

*3. Learned Counsel for the GNCTD has fairly stated that the*



*Petitioner is permitted to file a fresh affidavit giving the proof of receipt of compensation in 1997 & 2006 and also regarding the death of his mother. The Petitioner is directed to give a relinquishment deed from his siblings stating that the Petitioner is entitled to the compensation of Rs.5 lakhs.*

*4. Let the said affidavits be filed within three weeks with the SDM, Dwarka. The SDM, Dwarka is directed to consider the affidavit and process the same within three weeks thereafter.*

*5. List on 16.05.2024.”*

*3. It appears that there is some controversy as to whether the said Order has been complied with by the Petitioner. Resultantly, on 04.04.2024, the claim of the Petitioner has been rejected.*

*4. Learned Counsel for the Petitioner states that the Petitioner will file an affidavit entailing details of the demise of his mother and the fact that the father of the Petitioner lost his life during the 1984 riots and the fact that compensation of 3.3 lakhs has been received in 1997 and 3.5 lakhs has been received in 2006. He further states that the Petitioner does not have proof of compensation received by them in 1997. He, therefore, states that the Petitioner will file an affidavit stating that the Petitioner has received compensation in 1997 and also giving proof of compensation received by him 2006, to satisfy this Court that the Petitioner received compensation in 2006 only because he had received compensation in 1997.*

*5. Learned Counsel for the Petitioner is also directed to give a relinquishment deed from his siblings stating that the Petitioner is entitled to the compensation of Rs.5 lakhs which the family is entitled to under the Scheme.*

*6. Let the said affidavits be filed before 27.05.2024 before SDM, Dwarka and before this Court as well.*

*7. The Petitioner is directed to appear before SDM, Dwarka on 27.05.2024. The SDM, Dwarka is directed to consider the affidavit and process the same within three weeks thereafter despite the fact that the claim of the Petitioner has been rejected on 04.04.2024.*

*8. Respondents are directed to file a Status Report regarding consideration of the claim of the Petitioner.*

*9. List on 31.05.2024 for further directions.”*



2. In terms of the said directions, the Petitioner appeared before SDM, Dwarka and furnished the requisite documents. On consideration thereof, the Committee consisting of SDM (Dwarka), ADM (South West) and Account Officer(South West), GNCTD has recommended an enhanced compensation of INR 5 Lakhs, which has been approved by the Competent Authority – ACS (Revenue)-cum-Divisional Commissioner, GNCTD to be released to the Petitioner.

3. Mr. Dhananjaya Mishra Counsel for the Respondent No. 1, states the said enhanced compensation has not been released as of yet, since the budgetary allocation from the Central Government is awaited for the same. To this effect, a letter has been issued by SDM (Relief Branch), Revenue Department (HQ)/ Divisional Commissioner on 29<sup>th</sup> July, 2024 to get the funds allocated to them for disbursement of the enhanced ex-gratia compensation to the Petitioner.

4. In light of the above development and the abovementioned statement made by the Respondents' counsel, the writ petition is disposed of with a direction that the Respondents shall expeditiously process and release the enhanced compensation of INR 5 Lakhs expeditiously within a period of six weeks from today.

5. With the above directions, the writ petition is disposed of.

**SANJEEV NARULA, J**

**AUGUST 29, 2024/nk**