



\$~14

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

+ W.P.(C) 9132/2021 & CM APPLs. 28399/2021, 22131/2022

AMAR NATH MOHAN

..... Petitioner

Through: Mr. Fanish K. Jain and Mr. Kapil
Chaudhari, Advocates

versus

REGISTRAR CO-OPERATIVE SOCIETIES & ANR. .. Respondents

Through: Mr. Satyakam, ASC for GNCTD with
Mr. Pradyut Kashyap, Advocates

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

%

19.01.2024

1. Present writ petition has been filed seeking a direction to the Respondents to conduct the draw of lot and allot a flat in the HIG category to the Petitioner and further handover the actual vacant physical possession of the said flat to the Petitioner.
2. Learned counsel for the Petitioner states that initially the Respondent Cooperative Society had raised a demand of Rs. 7,68,000/-, which had been paid by the Petitioner. He states that subsequently in the counter affidavit, the Respondent Cooperative Society has stated that the Petitioner is in default of Rs. 18,91,597/-.
3. He states that though it is the Petitioner's case that the demand of Rs.18,91,597/- is illegal, yet without prejudice to the rights and contentions of the Petitioner, the Petitioner shall pay the said amount within six weeks



with liberty to challenge the same in accordance with law. He prays that upon payment, the Petitioner's name be included in the next draw of plots, to be conducted within three months, subject to availability of flats and in accordance with seniority as well as after necessary verification.

4. This Court is of the opinion that the prayer made by the Petitioner is fair and reasonable. Accordingly, upon payment of Rs. 18,91,597/-, the Respondents are directed to include the name of the Petitioner in the next draw of plots, subject to availability of flats and in accordance with seniority as well as after necessary verification. It is clarified that the Petitioner shall be at liberty to challenge the demand of Rs. 18,91,597/- in accordance with law. The rights and contentions of the parties are left open.

5. With the aforesaid directions, the present petition and applications are disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

JANUARY 19, 2024/rhc