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

+ **W.P.(C) 16508/2022 & CM APPL. 4365/2024**

ASHOK KUMAR JAIN

..... Petitioner

Through: Mr. Manmay Sarawagi, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY

..... Respondent

Through: Ms. Kartika Gupta and Mr. Nihal
Singh, Advocates.

Mob: 8920345880

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

23.01.2024

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CM APPL. 4365/2024

1. The present is an application on behalf of the petitioner to file additional document viz. original receipt of Registration Deposit Receipt (“FDR”).
2. It is submitted that the petitioner is now in possession of the original FDR receipt, which shows particulars of the payment for allotment of the plot in favour of mother of the petitioner.
3. Considering the submissions made in the present application, the present application is allowed and the additional document is taken on record.
4. Application is accordingly disposed of.



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5. The present writ has been filed seeking setting aside of the office order dated 02nd March, 2022, vide which the respondent gave the direction that the property will be allotted only if the original FDR is produced and not by way of any other documents.

6. It is the case of the petitioner that the Delhi Development Authority (“DDA”) had issued a scheme for allotment of plots being ‘Rohini Residential Scheme, 1981’, by which DDA had offered to allot plots under the said scheme to the general public on the basis of draw of lots. Thus, mother of the petitioner had applied for allotment of a plot under the aforesaid scheme and in this regard an FDR dated 25th April, 1981 was executed by the petitioner’s mother for an amount of Rs. 2,000/-, for which DDA issued a receipt.

7. It is only around the year 2008 that the respondent communicated about any flat allotment to the mother of the petitioner. Pursuant thereto, mother of the petitioner searched for the original FDR receipt, however, due to passing of a long time, was unable to trace the same. Thus, a police complaint was lodged with the local police station vide complaint dated 4th June, 2008.

8. Subsequently, after the death of his mother, the petitioner was informed that legal heirs are eligible for allotment vide circular dated 21st May, 2018 of the DDA. Accordingly, the petitioner arranged for all the necessary documents for purposes of execution of conveyance deed by the DDA in favour of the petitioner and other legal heirs.

9. However, by the impugned office order dated 2nd March, 2022 issued by the respondent-DDA, directions were issued that the property will only



be allotted in case original FDR is produced and not by way of any other documents. Thus, the present writ petition was filed for quashing the aforesaid office order dated 2nd March, 2022 and for directions to the DDA to provide possession of the plot allotted to mother of the petitioner in the 'Rohini Residential Scheme, 1981'.

10. This Court notes that by way of *CM APPL. 4365/2024*, this Court has already recorded that the original FDR receipt is now in possession of the petitioner.

11. Learned counsel appearing for the respondent-DDA submits that in that view of the matter, the petitioner can now approach the DDA with the requisite documents including the original FDR receipt for the purposes of verification of documents and further action thereto.

12. In view of the aforesaid, the grievance of the petitioner stands satisfied.

13. Accordingly, it is directed that the petitioner shall approach the DDA along with all the requisite documents including the original receipt of the FDR with respect to allotment of plot under the 'Rohini Residential Scheme, 1981'. The DDA shall verify the documents of the petitioner accordingly and take appropriate steps.

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

MINI PUSHKARNA, J

JANUARY 23, 2024

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