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

+ **W.P.(C) 11998/2024**

POONAM HANDOO

.....Petitioner

Through: Mr. Swarnendu Chatterjee and
Ms. Deepakshi Garg, Advs.

versus

**DELHI DEVELOPMENT AUTHORITY THROUGH ITS
VICE CHAIRMAN**

.....Respondent

Through: Mr. Tushar Sannu Dahiya, Adv.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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30.08.2024

CM APPL. 49903/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner is invoking writ jurisdiction of this Court under Article 226 of the Constitution of India for setting aside their reply dated 05.07.2024 and a direction to the DDA to conduct proper inquiry on various representations dated 31.01.2024 and 18.06.2024 preferred by her with the DDA.
4. Learned counsel for the DDA is present on advance notice.
5. Having heard the learned counsel for the parties and on perusal of the record, I have no hesitation in holding that the present writ petition is a gross abuse and misuse of the process of law.
6. It appears that the petitioner is involved in a family dispute with her laws with respect to subject property and proceedings were



initiated by the father-in-law seeking her eviction as also that of his son Sh. Sandeep Handoo from Property No. 22, Block-C in Kashmiri Co-operative House Building Society Ltd. at Pamposh Enclave, New Delhi (subject property) under the Provisions of Maintenance of/and Welfare of Parents and Senior Citizens Act, 2007, wherein an order was passed dated 02.12.2022, inter alia holding that the property belonged to her mother in law.

7. The petitioner subsequently preferred representation dated 31.01.2024 and 18.06.2024 with the respondent calling upon them to conduct an enquiry leading to the circumstances resulting in execution of conveyance deed dated 23.05.2000 in favour of her mother-in-law. The said representations were considered by the respondent, DDA and rejected vide the impugned letter dated 05.07.2024, which reads as under: -

“To,
Smt. Poonam Handoo,
R/o C-22, Second Floor,
Pamposh Enclave, Greater Kailash-I,
New Delhi – 110048.

Sub: Property No. 22 Block-C in Kashmiri Co-op.
House Building Society Ltd. at Pamposh Enclave,
New Delhi.

Madam,

This is with reference to your letter dated 31.1.2024 & 18.6.2024 addressed to VC/DDA and further letter dated 1.7.2024 for initiation of enquiry and action in respect of the above property. In this connection the case has been examined and prima facie your grievance is pertains to family matter and DDA is not appropriate forum to settle the family dispute. You have challenged the ownership of property which has been examined as



per record.

There is no such complaint from original sub-lessees of plot staking claim over the property during this long period. Further you are not directly related to the property and having no title in the property as such your claim is not tenable. Conveyance deed was executed on 23.5.2000 and you have approached to DDA in 2024 which is hopelessly time barred case by way of limitation. It is regretted to inform you that no action can be taken against the purchaser of property unless there is complaint from original allottee.

You are therefore advised, if desired, to please redress your grievance through competent court of law. DDA is not appropriate forum to settle their family disputes.

Deputy Director/CS”

8. *Ex facie* there is no legal right much less than any fundamental right available to the petitioner to call upon the DDA, or for that matter any public duty cast upon DDA to conduct an enquiry into the circumstances which led to execution of the conveyance deed. The petitioner is resorting to a mindless fishing inquiry. If the petitioner is aggrieved, she may prefer seeking appropriate remedies in accordance with law before the civil Court.

9. Hence, the present writ petition is dismissed.

DHARMESH SHARMA, J.

AUGUST 30, 2024/pkv