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

+ **W.P.(C) 13890/2024**

KRISHAN LAL KHANNAPetitioner

Through: **Ms. Sonia A. Menon, Adv.**

versus

DELHI DEVELOPMENT AUTHORITY & ORS.

.....Respondents

Through: **Counsel for respondents**
(Appearance not given.)

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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03.10.2024

CM APPL. 58142/2024-EXMP. & CM APPL. 58143/2024-EXMP.

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

W.P.(C) 13890/2024

3. The petitioner is invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, 1950 seeking certain directions against the respondent No.1/DDA¹ as well as respondent No.2/Land Sales Officer(I) besides respondent No.3/Commissioner (Housing).
4. Learned counsel for the respondents is present on advance notice and requests time to seek instructions.
5. Having heard the learned counsels for the petitioner, this Court finds that the present writ petition must be dismissed on the ground of

¹ Delhi Development Authority



delay and lashes. It is the grievance of the petitioner that he had been allotted a industrial plot under the DDA Scheme in Okhla Industrial Area, Phase-I, New Delhi and he had made full payment till 21.10.1993. However, he made a request for change of the location of the plot, which was not only rejected by the DDA on 24.05.1972 but the DDA re-alloted the plot to respondent No.5 through open auction without any information to the petitioner on 26.07.1976 and handed over the possession to the third party on 29.10.1976.

6. Learned counsel for the petitioner has vehemently urged that repeated requests and communications were sent to the respondents between the period 1976 to 2013 for seeking alternative allotment but it fell on their deaf ears. It is also pointed out that a legal opinion was sought from Chief Legal Advisor, who made a favourable remarks on 31.07.2019 for sympathetic consideration of the case of the petitioner.

7. Be that as it may, mere fact that petitioner had been making repeated requests or communications would not extend the period of limitation. There is no explanation as to why petitioner was sleeping over his rights for more than 46 years. It is well ordained in law that “the law helps those who timely assert their legal rights”.

8. Hence, the present writ petition is dismissed for the same suffering from inordinate delay and lashes on the part of the petitioner.

DHARMESH SHARMA, J.

OCTOBER 3, 2024/sm