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

+ **W.P.(C) 17934/2024**

DHRUV TIWARI

.....Petitioner

Through: Mr. Mridul Jindal, Mr. Laksh Yadav
and Ms. Vishi Agarwal, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY

.....Respondent

Through: Mr. Arun Birbal and Mr. Sanjay
Singh, Advocates with Mr. Rahul Kain, Law
Assistant, for DDA.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **24.12.2024**

CM APPL. 76277/2024

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

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3. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following relief:-

i.) Issue an appropriate Writ/Order thereby directing the Respondent i.e. Delhi Development Authority to decide the application dated 22.03.2018 of the Petitioner for Compassionate appointment or allot any shop as per Ministry of Urban Development Letter dated 25.10.2000 in a time bound manner.

ii.) Issue an appropriate Writ/ Order thereby directing the Respondent to pay damages on account of an inordinate delay in deciding his application and losing his records.

iii.) Direct the Respondent to pay cost of litigation.

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4. It is clear from the writ petition and the prayer clause that the relief claimed is in the nature of service matter and is sought against the Delhi Development Authority and thus in view of Section 14 of the Administrative Tribunals Act, 1985 and judgment of the Constitution Bench of the Supreme Court in ***L. Chandra Kumar v. Union of India and Others, (1997) 3 SCC 261***, the Administrative Tribunal is the only Court of first instance for adjudication of the issues raised by the Petitioner.
5. Accordingly, this writ petition is dismissed, with liberty to the Petitioner to take recourse to appropriate remedies before the appropriate forum, in accordance with law. It will be open to the Petitioner to raise all pleas, legal and factual and all other contentions raised in the present writ petition in the appropriate forum.

JYOTI SINGH, J

DECEMBER 24, 2024
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