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

+ **W.P.(C) 964/2025**

NIDHI MEHTA

.....Petitioner

Through: Mr. Ashish Dholakia, Mr. Amit Pawan,
Mr. Hassan Zubair Waris, Ms. Aastha
Shrestha, Ms. Meghna Jandu, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Ekta Chaudhary (CGSC) along
with Mr. Yash Tyagi (GP), Mr. Ayush
Kumar, Adv. for R1.
Mr. Sanjay Kumar Pathak (Standing
Counsel) along with Ms. K.K. Kiran
Pathak, M. Sunil Kumar Jha, Mr. M.S.
Akhtar, Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

27.01.2025

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CM APPL. 4782/2025

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

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3. The present petition filed by the petitioner seeks a writ in the nature of mandamus directing the respondents to allot to the petitioner an appropriate piece of land equivalent to the land originally allotted to the petitioner vide order dated 26.06.1962 filed as (annexure P-2) to the present petition.
4. Apparently, the possession of the said property could not be handed over to the petitioner despite execution of a conveyance deed in favour of the petitioner on account of the concerned land having been acquired.
5. Learned senior counsel for the petitioner submits that the respondents have, in fact, allotted alternate parcels of land to persons who are similarly



situated as the present petitioner.

6. Learned senior counsel for the petitioner emphasises that the entitlement of the petitioner is corroborated not only by the treatment accorded to similarly situated persons, but also on account of the fact that the respondents have not even paid the amount of Rs. 11,075/- to the petitioner (for which the concerned land was acquired) and as per its own undertaking as recorded in the counter-affidavit filed by the respondent in W.P.(C) 713/1988 (filed by the petitioner).

7. After some hearing, respective counsel for the parties are in agreement that the present petition be treated as a representation by the respondents and a reasoned order be passed thereon by the concerned authority after affording an opportunity of hearing to the petitioner. It is directed accordingly.

8. Learned counsel for the respondents submits that the petitioner deserves to be non-suited on the ground of delay itself. He submits that even the earlier writ petition filed by the petitioner W.P.(C) 713/1988 was dismissed on the ground of inordinate delay. However, the said contention is refuted by learned senior counsel for the petitioner on the basis that the said writ petition sought an altogether different relief. Let the said aspect be also duly considered while disposing the representation of the petitioner.

9. Let the aforesaid exercise be completed within a period of twelve weeks from today.

10. The present petition is disposed of in the above terms.

SACHIN DATTA, J

JANUARY 27, 2025/uk