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

+ **W.P.(C) 3374/2025**

SATISH KUMAR

.....Petitioner

Through: Ms. Ujala Vishnoi and Mr. Randeep
Singh, Advs. (through v/c)

versus

GOVT OF NCT DELHI & ANR.

.....Respondents

Through: Ms. Pavitra Kaur and Mr. Shiven
Asthana, Advs.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

19.03.2025

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CM APPL.15968/2025 (Exemption)

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

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3. The petitioner in the present petition migrated to Delhi in the year 1989 along with his family due to the 1988 insurgency in Punjab. It is stated that the petitioner and his family were provided a tent bearing no. B-634, at Transit Camp, Govind Puri, Delhi and financial assistance (to the father of petitioner) of Rs.1000/- per month till February 1997 by the Government of NCT of Delhi/respondent no.1.
4. The National Human Rights Commission in consultation with the Delhi Development Authority on 18.06.1999 passed a resolution to introduce Housing Scheme for Rehabilitation of Punjab Migrants (hereinafter 'HSRPM scheme') for families who migrated to Delhi from Punjab due to the 1988 insurgency.



5. It is submitted that pursuant to a physical survey of various relief camps set up by the respondent no.1 for migrants, from the Govind Puri relief camp 347 migrants including the father of the petitioner were listed in the list of candidates who were eligible under the HSRPM scheme. However, on 18.08.2006, the name of the petitioner's father was rejected/ removed by respondent no.2 from the list of allottees/recommendation on the premise that the name of his father does not appear as recipient/beneficiary in the list of 'last payment list' pertaining to the financial assistance provided by the respondent no.1.

6. It is further submitted that pursuant to the rejection, the petitioner made various attempts to prove that his father was a beneficiary of the financial assistance provided by the respondent no.1. However, the petitioner received no response from the respondents.

7. It is submitted that in compliance of directions passed by this Court in WP(C) 500/2015 and other connected matters *vide* order 28.01.2016, the representation of similarly situated migrants (petitioners therein) whose names were not recommended for flat allotment under the HSRPM scheme were considered and respondent no.2 issued them recommendation letters for allotment of flats. Accordingly, the petitioner also approached respondent no.2. The petitioner was informed that for verification, physical presence of petitioner's father was required. However, since, his father has been missing since 2009 and was not seen by anyone since last 10 years, the petitioner in this regard obtained a decree of declaration dated 25.04.2022 from the Civil Judge, Jalandhar, Punjab.

8. Subsequently, the petitioner approached respondent no.2 to consider his eligibility for allotment of flat under the HSRPM scheme. It is averred in



the petition that various migrants who were similarly situated, were issued letters by the respondent no.2. However, despite repeated representation and communications, the petitioner has not been issued recommendation for allotment of flat under the HSRPM scheme by the respondent no.2.

9. It is stated that the petitioner has also submitted a representation before the respondent no.2 on 28.08.2024 along with relevant documents of his claim. However, the same has not been responded to by the respondent no.2 till date.

10. Hence, the petitioner has approached this Court *inter-alia* seeking for direction to the respondent no.2 to consider his representation and issue a recommendation letter for allotment of a flat under the HSRPM scheme.

11. During the course of proceedings, it has been also brought out that this Court had issued directions in W.P.(C) 10463/2024, which arose in a similar factual matrix. The direction in order dated 20.08.2024 passed by this Court in the aforesaid writ petition, reads as under:

“6. In light of the above, without going into the merits of the case, the present petition is disposed of with a direction to Respondents No. 1 and 2 to decide Petitioner's representation dated 20'h February, 2024 within three months from today. The Petitioner shall also be granted a personal hearing with the time and date to be communicated in advance to the Petitioner.”

12. In the circumstances, this Court finds it apposite to dispose of the present writ petition in terms of the aforesaid direction. Accordingly, the respondent nos. 1 and 2 are directed to decide the representation of the petitioner dated 28.08.2024 with a period of three months from today. The respondent shall decide the representation made by the petitioner on its own merits after providing the petitioner with a personal hearing. In an event the respondents are inclined to reject the said representation, a reasoned and



speaking order shall be passed and provided to the petitioner, in accordance with law.

13. Needless to say, nothing in this order shall be construed as an expression of opinion of this Court on the merits of the entitlement asserted by the petitioner.

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

SACHIN DATTA, J

MARCH 19, 2025/sl