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

+ CONT.CAS(C) 190/2024 CM APPL. 6531/2024 CM APPL.

20702/2025

YASHPAL SAWHNEY

.....Petitioner

Through: Mr. Vinay Gupta, Adv. with
petitioner in person.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI AND OTHERS

.....Respondent

Through: Ms. Avni Singh, Panel Counsel for
GNCTD.

Mr. R.K. Dhawan, SC for DSIIDC
with Ms. Nisha Dhawan, Mr. V.K.
Teng, Mr. Pawan Karan Deo and Mr.
Naman Kr. Thakur, Advs.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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07.05.2025

1. Pursuant to the previous order, counsel for petitioner seeks to file a rejoinder to the reply which has been filed by the Delhi State Industrial & Infrastructure Development Corporation ('**DSIIDC**').
2. *Mr. R.K. Dhawan*, Counsel appears for DSIIDC and states that the issue of plot being occupied by *Trishla Plastic* has been resolved, which is also confirmed by the counsel for the petitioner.
3. The issue which the petitioner seeks to canvass is the escalated rate at which they have been allotted the plot, which is stated in *paragraph 5* of the order dated 08th April 2025. For ease of reference, the said paragraph is extracted as under:



5. The second issue, as per counsel, is non-compliance of judgment regarding the rate at which allotment is to be done which amounts to Rs.1,84,80,000/- (at the rate of Rs.92,400/- per sq. mt.). He contends that the rate should be as per the Relocation Policy of 1996 which was @Rs.4,200/- per sq. mt.

4. Attention by counsel for the petitioner has been drawn to *paragraph 55* of the order dated 07th November 2023 in **W.P.(C) 3791/2018** which is as under:

“55. I, therefore, deem it appropriate to direct that the determination of the price on which the alternate land shall be allotted to the petitioner shall be made by the respondents within a period of eight weeks from the date of this judgment. In such determination, the respondents shall keep in view that the petitioner was not at fault for the delay in allotment and was, in fact, eligible for such allotment in terms of the decision dated 03.03.2013 of the LG. Therefore, it would not be just and equitable for the respondents to insist on payment of the current market rate from the petitioner. At the same time, allotment of alternate land at the price as was prevalent in 2013 may lead to grant of a bonanza to the petitioner. Therefore, the decision on the price to be charged to the petitioner shall have to balance the two competing considerations in order for it to be just, fair and reasonable. Needless to say, in case the petitioner is aggrieved of the decision on the rate price, it shall be open to the petitioner to challenge the same in accordance with law.”

5. The said order very clearly states that it is for the respondent to allot the land after determination of the price, for which certain observations were given by the Court.

6. The Court has also stated that if the petitioner is aggrieved of the



decision on the rate price, it shall be open to the petitioner to challenge the same in accordance with law.

7. Petitioner seeks to address his grievance relating to the rate price.
8. As per Mr. Dhawan, Counsel for DSIIDC, there is some justification which is sought to be given, which is refuted by counsel for the petitioner.
9. Without going into the merits of the matter, the Court is of the opinion that this issue cannot be considered by this Court in a contempt proceeding and will have to be agitated by petitioner, if so advised, per the orders passed by the Writ Court noted above.
10. Accordingly, the petition is disposed, with liberty to the petitioner to seek his remedies in accordance with law with respect to the rate price.
11. Pending applications, if any, are also disposed of as being rendered infructuous.
12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 7, 2025/MK/tk