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

+ W.P.(C) 5888/2025, CM APPL. 26854/2025 (Already D/o)
PRADEEP KUMARPetitioner

Through: Mr. Mohd Uwaiz, Mr. Anurag Bindal,
Mr. Vaibhav Gupta, Advs.

versus

GOVT. OF NCT OF DELHI AND ANR.Respondent
Through: Mr. Anuj Chaturvedi, Adv. for
DUSIB

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **22.05.2025**

1. The present petition has been filed by the petitioner seeking the following prayers –

*“1. Issue a writ in the nature of mandamus or other such appropriate writ, order or direction, directing the respondents to allot an alternative suitable accommodation to the petitioner by completing the entire process of allotment in a time-bound manner within 1 (one) month; and/or
2. Pass any other order/direction/ relief in favour of the petitioner and against the respondents, in the interest of equity justice and good conscience.”*

2. The petitioner had been a resident of the slum property bearing No.1212/VIII, Gali Kashmiriyan, Delhi. It is stated that upon the said property being declared “dangerous”, the petitioner was directed to vacate the same while being assured that an alternative accommodation would be allotted to him.

3. It is submitted that an eligibility letter dated 29.11.1999 bearing No. D/3463/ AD(P)/99 was issued by the Slum and JJ Department, MCD whereby the petitioner’s case for allotment of alternative housing in lieu of his earlier dwelling unit being slum property bearing No.1212/VIII, Gali



Kashmiriyan, Delhi was recommended to the Allotment Section of the Slum Department. The said letter is appended as Annexure P-1 to the present petition.

4. Pursuant thereto, a letter dated 28.03.2000 was issued by the Slum and J.J. Department, Municipal Corporation of Delhi whereby a demand for Rs. 2,26,800 was raised as cash payment with respect to allotment of alternative housing in Raghubir Nagar in favour of the petitioner. The said letter is appended as Annexure P-2 to the present petition.

5. Thereafter, in 2010, the petitioner addressed a letter dated 04.01.2010 to the Additional Commissioner, Slum and JJ Deptt. MCD seeking an update on the allotment process.

6. Subsequently, in 2014, the petitioner received a letter dated 08.12.2014 issued by the Delhi Urban Shelter Improvement Board (DUSIB / respondent no. 2) informing the petitioner that his request for allotment of alternative housing cannot be acceded to inasmuch as the petitioner had failed to remit the amount demanded *vide* letter dated 28.03.2000 in terms thereof i.e. within a period of 14 days.

7. It is the case of the petitioner that the delay in making the payment in terms of the letter dated 28.03.2000 was occasioned on account of the fact that the petitioner had come to know that the demand raised on other similarly situated persons for allotment of alternative housing was only for Rs. 54,000 as opposed to the amount of Rs. 2,26,800 demanded from him and that the petitioner was awaiting the response of the concerned department on this aspect.

8. It is submitted that the petitioner is also in receipt of several other communications including letter dated 18.03.2016, letter dated 21.10.2016



and letter dated 18.07.2017, issued by the respondent no.2 wherein the amount demanded from the petitioner *vide* letter dated 28.03.2000 for allotment of alternative housing has been reflected as Rs. 71,000 instead of Rs. 2,26,800. The said communications have been appended as Annexure P7 (Colly).

9. Thereafter in 2024, the petitioner filed a Right to Information Application dated 13.08.2024 to enquire about the status of his application for allotment of alternative housing. It is stated that the petitioner was informed, in response to the aforesaid application, that the letter of demand for allotment of alternative housing stood withdrawn in light of the petitioner not having remitted the requisite amount in terms thereof.

10. The present petition, inasmuch as it pertains to / seeks directions with regard to a demand letter dated 28.03.2000, is clearly hit by laches. As such, this Court is not inclined to entertain the present petition.

11. At this stage, learned counsel for the petitioner confines himself to seeking that the present petition be treated as a representation by the respondent no.2 on which an appropriate decision be taken, after considering the facts and circumstances of the case. It is directed accordingly.

12. Needless to say, the above direction shall not be construed as an expression of opinion of this Court on the merits of the matter. Furthermore, this order shall not be construed as affording the petitioner with a cause of action for initiating further proceedings.

13. The present petition is disposed of in the above terms. Pending application also stands disposed of.

MAY 22, 2025/dn

SACHIN DATTA, J