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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 17109/2024 & CM APPL. 72510/2024**
SUDHA DHAWAN

.....Petitioner

Through: Ms. Muskan Anand, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY

.....Respondent

Through: Mr. Arvind Gupta, Advocate.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
06.02.2025

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CM APPL. 72511/2024 (Exemption)

Exemption allowed, subject to all just exceptions.

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1. The petitioner was allotted a flat in Sector 23 Dwarka, under *DDA Housing Scheme 2014* under the category of *Permanent Disability*. The total cost of such flat was Rs.17,69,325/-.
2. Admittedly, the petitioner had made the initial payment and also few of the initial instalments.
3. The possession of the flat is also with the petitioner, as the allotment is on *hire purchase basis*.
4. The only issue raised in the present writ petition is with respect to the manner in which penalty has been imposed upon the petitioner for delayed payments.
5. Learned counsel for respondent submits that such levy cannot be

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labeled as penalty as it is interest which has been imposed, in terms of the demand-cum-allotment letter.

6. Learned counsel for the petitioner, however, disputes the aforesaid assertion.

7. However, during course of arguments, it came to the fore that the petitioner has already filed a detailed representation dated 23.09.2024, addressed to the Assistant Director (HS-14/17) DDA, LIG Housing Wing and it is yet not decided.

8. Learned counsel for the respondent also, very fairly, admits that the representation is still pending adjudication.

9. In view of the above and with the consent of both the parties and without expressing any opinion with respect to merits of the case, the present writ petition is disposed of with the direction to respondent/DDA to consider the above said the representation dated 23.09.2024, as expeditiously as, possible and preferably within a period of six weeks from today.

10. The respondent would be at liberty to give an opportunity of personal hearing to the petitioner.

11. Needless to say, in case the petitioner is aggrieved by outcome of her such representation, she would be at liberty to take recourse to action, as permissible under law.

12. Order *dasti*, under the signatures of Court Master.

MANOJ JAIN, J

FEBRUARY 6, 2025/ss

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