



\$~119

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 17479/2024 & CM APPL. 74390/2024**
OM PARKASH

.....Petitioner

Through: Mr. Alok Kumar Pandey and Mr.
Mohit Kumar, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Ms. Shobhana Takiar, Standing
Counsel with Mr. Prateek Dhir, Mr.
Shivam Takiar and Mr. Kuljeet Singh,
Advocates.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **13.01.2025**

CM APPL. 74389/2024 (Exemption)

Exemption allowed, subject to all just exceptions.

W.P.(C) 17479/2024

1. In view of the order dated 18.12.2024, the prayer in the present petition is only restricted to prayer 'b' which reads as under:-

"b. Pass a Writ of Mandamus or appropriate Writ in favour of the Petitioner and against Respondent No.2, thereby, directing Respondent No.2 to regularize the suit property bearing No. T-1889, Upper Ridge Road, Karol Bagh, New Delhi-110005 in favour of the Petitioner;"

2. Learned counsel for respondent No.2/DDA submits that one communication dated 13.09.1996 had been sent by them to Mr. Om Parkash (Son of original allottee) for transfer/mutation of plot in question situated at Upper Ridge Road, Karol Bagh, New Delhi. It was also mentioned in the said communication that the claim for regularization was transferred in his favour

W.P.(C) 17479/2024

1



and the allotment-cum-demand letter would be issued after submission of the documents already sought by DDA.

3. Learned counsel for the respondent/DDA also submits, on instruction, that there was no response from the petitioner all along and now the present petition has been filed by the petitioner seeking regularization pursuant to notices dated 21.12.2020, 17.05.2024 and 27.05.2024 which they had merely sent for removal of *unauthorized occupation* under Section 7 (3) of *Public Premises (Eviction of Unauthorized Occupants) Act, 1971*.

4. Learned counsel for the petitioner, though refutes the above said contentions, he, at the same time, submits that the respondent No.2 may be requested to consider the contentions made in the present writ petition, seeking regularization of plot in question, as a representation and to decide the same in accordance with law.

5. Learned counsel for the respondent No.2 has no objection to the above and submits that they would consider the above said request for regularization in accordance with law.

6. She, however, supplements that such consideration may not be construed as if some equity flows in favour of petitioner.

7. In view of the above, the petition is disposed of with direction to respondent No.2/DDA to consider the aspect of regularization as asserted in the writ petition as a representation and to dispose of the same in accordance with law, as expeditiously as possible, preferably within a period of 12 weeks from today.

MANOJ JAIN, J

JANUARY 13, 2025/ss

W.P.(C) 17479/2024

2