



2026:DHC:2663



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 25.03.2026+ CONT.CAS(C) 88/2025

RAVINDER KUMAR JAIN

.....Petitioner

Through: Mr. Vikas Jain and Ms. Gauri
Vashisht, Advocates along with
Petitioner.

versus

DELHI DEVELOPMENT AUTHORITY & ORSRespondents

Through: Ms. Manika Tripathy, SC for DDA
with Mr. Gautam Yadav, Advocate.

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition has been filed by the petitioner alleging wilful disobedience/non-compliance with the directions contained in the order dated 03.10.2024 in W.P.(C) 11037/2022. The operative directions therein are as under:

"23. In view of the above, the present petition is allowed.

Accordingly, the following reliefs are granted to the petitioner;

(i) A writ of mandamus is issued to the respondents to issue an allotment letter to the petitioner pursuant to draw of lots of allotment of MIG plot bearing no.D-2/49, Sector 29 against the Registration No.234252, Priority No.14953 under MIG category in RRS, 1981 conducted on 28.10.2016, within two months from today;

(ii) AND simultaneously a direction is issued to the respondents/DDA to hand over the physical possession of the MIG plot bearing no. D-2/49, Sector 29 against the Registration No.234252, Priority No.14953 in terms of the aforesaid details to the petitioner within two months from today;



(iii) In the alternative, in case the aforesaid plot has been allotted to any third person in the interregnum, the respondents/DDA shall allot a plot of equivalent size in the same sector i.e. Sector 29, to the petitioner at the rates of land prevailing at the time of computerized draw of lots i.e. 28.10.2016 within two months from today; AND

(iv) The respondents/DDA are directed to pay a cost of ₹1 lakh to the petitioner for suffering the agony of a long period of harassment and trial, within a month from today, failing which the respondents/DDA shall be liable to pay the said amount with interest at the rate of 6% per annum, from the date of this order till realisation.”

2. It transpires that the application seeking modification of the aforesaid order was disposed of *vide* order dated 02.02.2026, wherein the stand of the DDA that the petitioner is obliged to pay the rates as prevailing in the year 2025 for the purpose of allotment of the MIG plot, was rejected. It was observed as under:

“7. As far as the judgment is concerned, paragraph No. 23(iii) is important, wherein the learned Predecessor Bench has directed that in case the plot was not available, the respondent/ DDA would allot a plot of equivalent size and would charge the rates prevalent as on 28.10.2016.

8. Once the Court has held that even in case of an alternative allotment, the rates of 28.10.2016 would apply, the argument that in paragraph No. 23 (i) & (ii), the Court would have directed the rate of 2025 to apply, while allotting the MIG plot as per the priority number of the petitioner of 28.10.2016, does not appeal to my mind.”

3. However, insofar as the payment of cost by the DDA is concerned, the judgment / order dated 02.02.2026 directs as under:

“15. In paragraph No. 23, the Court has directed the DDA to pay costs of Rs. 1 lakh for agony and long period of harassment of the petitioner. Since the same plot has been allotted to the petitioner, though belatedly, at the same rates as prevalent on 28.10.2016, I am inclined to modify the direction of payment of costs of Rs. 1 lakh along with 6% interest and waive of the same. If the prayer of the respondent to waive of the cost is not allowed the respondent would be placed at a disadvantageous position. In such circumstances, this Court is called upon to balance the equities and to prevent such harm. The petitioner cannot be allowed to have two bites at the cherry. The petitioner cannot be allowed to take the



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possession of the same property at rates prevalent in 2016 and at the same time be awarded costs for harassment and mental agony.

16. Since the DDA has already paid the amount, the same shall be adjusted in the final Allotment Letter which shall be issued within 4 weeks from today.”

4. As such, although the payment of cost is obviated, the DDA is obliged to proceed with the allotment in favour of the petitioner by applying the rates prevalent as on 28.10.2016. It also transpired during the course of hearing that, on 07.01.2016, DDA had cancelled the allotment in favour of the petitioner on the basis that the requisite payments demanded by the DDA (as per 2025 rates) were not made by the petitioner.
5. In the opinion of this Court, the directions contained in the order dated 03.10.2024, as well as the order dated 02.02.2026 passed in W.P.(C) 11037/2022 on the modification application filed by the DDA, clearly require the DDA to proceed with the allotment in favour of the petitioner by applying the rates prevailing in the year 2016.
6. Evidently, however, the DDA acted in contravention thereof by seeking to apply the 2025 rates. The same, *prima facie*, amounts to wilful disobedience of the directions issued by this Court in the order dated 03.10.2024 read with order dated 02.02.2026.
7. The wilful disobedience is further aggravated by the fact that the DDA proceeded to cancel the allotment on 07.01.2026. The action of the DDA in demanding rates prevailing in the year 2025 from the petitioner, and thereafter cancelling the allotment for non-payment of charges at such rates, does not withstand legal scrutiny, being in the teeth of the directions issued by this Court in the aforesaid orders.
8. Consequently, the communication dated 07.01.2026 purporting to



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cancelling of allotment in favour of the petitioner, is set aside.

9. DDA is directed to proceed with the allotment in favour of the petitioner by applying the rate as prevalent on 28.10.2016 after demanding the requisite amount from the petitioner. Let the same be done expeditiously. Let the allotment process be completed expeditiously, and in any event, within a period of 2 months from today.

10. The petitioner categorically undertakes that he shall pay the amount as may be demanded by applying the rate as on 28.10.2016, within a period of 4 weeks from the date on which the demand is raised upon the petitioner.

11. In case the requisite allotment is impeded for reasons attributable to DDA, the same shall be construed as wilful disobedience on the part of the DDA entailing action against the respondents under the Contempt of Courts Act, 1971.

12. The present petition stands disposed of in the above terms.

13. List for reporting compliance on 15.07.2026.

14. In case of non-compliance, the concerned Director of the DDA shall remain present in Court on the next date of hearing.

15. It is made clear that this order shall not be construed as having any bearing on any appellate proceedings that may be initiated by the respondents.

SACHIN DATTA, J

MARCH 25, 2026/at