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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6281/2022&CM APPL. 18940/2022

GURBIR SINGH

.....Petitioner

Through: Petitioner in person

versus

DELHI DEVELOPMENT AUTHORITY (DDA)Respondent

Through: Ms. Shobhana Takiar SC with Mr

Kuljeet Singh Advocate

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

10.02.2026

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1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following reliefs:-

“Issue a Writ, Order or Direction in the nature of Writ of Mandamus or any other appropriate writ, order or direction in the nature thereof directing the Respondent to refund the amount of Rs. 23,91,824/- (Rupees Twenty Three Lacs Ninety One Thousand Eight Hundred and Twenty Four only) illegally retained by the Respondent along with interest at the rate of 18% per annum from the date of deposit till the date of actual realization;

b) Issue a Writ, Order or Direction directing the Respondent to deposit the aforesaid amount before this Hon'ble Court during the pendency of the present Writ Petition;...”

2. The brief facts of the case are that *vide* award No. 1582 dated 06.06.1963, the entire freehold agricultural land of the petitioner's father was acquired by the Delhi Development Authority (“**DDA**”) and an amount of Rs. 68,712.50 was paid as compensation in lieu of



the acquired land. In 1980, the respondent framed a scheme under resolution No. 118 dated 22.09.1980 with a view to allot commercial shops to those persons who were deprived of the ancestral vocation of agriculture for those farmers whose land were acquired.

3. In pursuance of the said scheme, the respondent invited applications through advertisement and the petitioner filed an application form along with Rs. 5000/- as earnest money. On 21.04.2006, the petitioner was declared successful in the computerised draw of lots by the respondent for shop No 37 at 1st Floor, CSC, Phase- I, Sector 10 Dwarka stated to be admeasuring 15.93 Sq.m. and on 28.04.2006, the respondent issued demand letter bearing No. F20(2)/2006/CE/LAC/1/-1349 requesting the petitioner to deposit Rs. 24,48,265/-.
4. From 29.05.2006 to 07.09.2006, the petitioner made payments to the tune of Rs. 23,86,824/- to the respondent in addition to the already paid Rs. 5000/-. The petitioner also wrote a letter seeking possession of the said property. On 15.07.2016, the respondent cancelled the allotment on the ground of furnishing false affidavit as the petitioner's father's dependents, i.e. the brother and sister of the petitioner had already got two shops. Hence, in view of the said cancellation, the present petition is filed by the petitioner seeking refund of the amount paid by the petitioner in pursuance of the said scheme.
5. Ms. Takiar, learned standing counsel for the respondent/DDA, states that in the present case, no amount is payable as the petitioner has tried to defraud the respondent authority. Despite the legal heirs of the petitioner's father having been allotted two shops, the petitioner tried



to grab another property by furnishing false affidavit. Hence, the respondent has not only cancelled the allotment, but forfeited the amount paid by the petitioner.

6. This Court has already made a categorical observation in its Order dated 04.02.2026 passed in ***Ram lal arya v. DDA, W.P.(C) 2973/2011***, that the respondent cannot act as an adjudicating authority and forfeit monies of citizens on the ground that citizens have committed a fraud or tried to defraud the authority.
7. Mr. Singh, the petitioner who appears in-person, very fairly states that he is not claiming interest and only seeking return of the amount duly paid.
8. For the said reasons, the petition is allowed.
9. It is directed that the respondent shall return all the amount paid by the petitioner including Rs. 23,91,824/- to the petitioner within 4 weeks from today failing which, interest shall accrue at the rate of 9% per annum.
10. The petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

FEBRUARY 10, 2026 / (MS)