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

+ **W.P.(C) 13213/2019**

RAMESH

.....Petitioner

Through: Mr. Dilip Singh, Ms. Iffat Fatima,
Ms. Maahi Singh, Advs.

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: Ms. Prabhsahay Kaur (SC DDA),
Ms. Antara Mishra, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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09.03.2026

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

“I. To call the original records of the respondent pertaining to allotted shop to petitioner vide File No: F12(59)/2019/CE/123;

II. To Issue the writ of mandamus or any other appropriate writ/ order/ direction whereby directing the respondent to allot a shop of the size allotted vide allotment letter dated 12.04.2019 and in the same area/locality.;

III. To Issue appropriate writ/ order/ direction to the respondent conclude the process of allotment and handing over the possession in a period of six months;

IV. To direct the respondent to pay to the petitioner a cost of Rs. 50,000/- and a sum of Rs; 1 lac for harassment;...”

2. It is the case of the petitioner that the petitioner belongs to the SC category and he made an application bearing No. 8000420 on 11.01.2019 to



the respondent for allotment of a shop in the SC/ST category scheme. Consequently, the petitioner was allotted a shop of 10.080 sq. mtr. and an allotment letter dated 12.04.2019 was also issued to the petitioner.

3. The shop allotted to the petitioner was mentioned in the subject line of the allotment letter as shop/stall No. 4 in Sector 16 Pocket Block F in CSC No. 7 Sector-16 Block-F, Rohini under the category SC/ST, measuring 10.080 sq. mtr. Pursuant thereto, the petitioner was required to deposit Rs. 4,71,040.75/- and the remaining balance was scheduled to be paid in 24 equated monthly instalments with interest.

4. However, the petitioner on actual measurement of the allotted shop found that the shop was measuring about 6 metres only and the area was half of the allotted area i.e. 10.080 sq. mtr. Hence, the present petition has been filed.

5. Ms. Mishra, learned standing counsel for the respondent, has drawn my attention to the paragraph No. 8 of the counter affidavit filed by the respondent, which reads as under:

“That the Accounts Branch, DDA had worked out the costing of the aforesaid shop to be 10.080 Sq. mtr, as per available details in the relevant costing file No. F21(1388)92/HAC, on the basis of plinth area including proportionate common portion/area for Shop No. 4, CSC 7, Pocket F, Sector 16, Rohini, and the same has been calculated as per Authority Resolution No. 53/2017 and the methodology approved by FM, DDA.”

6. A perusal of the counter affidavit shows that the area of 10.080 sq. mtr. of the allotted shop was inclusive of the plinth area of the shop and



proportionate common portions.

7. I am of the view that in none of the documents of the respondent, it has been stated that the area of 10.080 sq. mtr. was the carpet area and not the combined area of plinth along with proportionate common portions.

8. Accordingly, the stand of the respondent that 10.080 sq. mtr. is not the carpet area but the total area of the shop which included the plinth area and proportionate common portions is in order. Additionally, the brochure also permitted all the bidders to visit the site and see the property in question.

9. In this view of the matter, the claim of the petitioner that the petitioner is entitled to 10.080 sq. mtr. of carpet area is not sustainable.

10. In the present case, the petitioner was required to make a total payment of premium of Rs. 18,91,983/-, i.e. Rs. 4,71,040/- within 60 days of the issue of allotment letter and the remaining amount in 24 equated monthly instalments of Rs. 62,891/- with interest.

11. Besides the application money of Rs. 2000/-, there is no document on record to show that the petitioner has made any other payment.

12. In the absence of the petitioner making any payment for more than almost 7 years, the petitioner cannot maintain the present petition.

13. For the said reasons, the petition is dismissed along with pending applications, if any.

JASMEET SINGH, J

MARCH 9, 2026/DM