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

+ **W.P.(C) 3268/2018 & CM APPL. 24657/2018**

SULEKH MALIK

.....Petitioner

Through: Mr. Manish Vashisht, Sr. Adv. with
Mr. Abhinav Sharma, Ms. Avsi
Malik, Mr. Ujjwal Jain, Advs.

versus

DELHI DEVELOPMENT AUTHORITY AND ANR.

.....Respondent

Through: Ms. Chand Chopra, Mr. Piyush Vyas,
Advs. for R-1/DDA
Mr. Mohinder Rupal, Mr. Hardik
Rupal, Ms. Aishwarya Malhotra, Ms.
Tripta Sharma, Advs. for University

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

20.02.2026

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1. This is a writ petition filed under Article 226 of the Constitution of India seeking quashing of the demand raised by respondent No. 1 against the petitioner towards the allotment of plot bearing No. 121, Sector 17-B-3, Dwarka Residential Scheme, New Delhi at the rates of 2017-18.
2. The brief facts of the case are that the father of the petitioner, Late Shri Mohan Lal, was the Bhoomidar of land admeasuring approximately 13 bighas comprised in Khasra Nos. 289 and 293 situated in Village Masoodpur. The said land was acquired by the Government of Delhi pursuant to notification dated 23.01.1956 issued under Section 4 of the Land Acquisition Act for planned development of Delhi Award Nos. 1944 dated 25.02.1967 and 2225 dated 26.03.1969 were passed by the Land Acquisition Collector and



compensation was accepted.

3. In terms of the policy dated 02.05.1961 for allotment of alternative plots, the father of the petitioner applied in 1980 and his case was registered under File No. F.32(44)/1/80/L&B/ALT for allotment of a 400 sq. yards plot. He later fell ill, was declared of unsound mind, and expired intestate on 30.01.1994, leaving behind three sons and six daughters.
4. All other legal heirs executed a registered Relinquishment Deed dated 06.06.2001 in favour of the petitioner. The petitioner thereafter pursued the matter with the authorities and repeatedly submitted all requisite documents as demanded. Despite compliance and confirmation from the Land Acquisition Collector, the alternative plot was not allotted and the respondents continued to raise repetitive queries.
5. Aggrieved, the petitioner filed W.P.(C) No. 4043/2008 before the Hon'ble High Court of Delhi. *Vide* order dated 08.07.2009, the Court directed allotment of the alternative plot to all legal heirs within three months. However, the respondents failed to comply, compelling the petitioner to initiate further proceedings including contempt petitions.
6. Subsequently, the DDA allotted a plot admeasuring 242 sq. meters in Dwarka instead of 400 sq. yards. Inter se disputes raised by the petitioner's brother challenging the Relinquishment Deed were settled in CS (OS) No. 727/2012, and the suit was decreed on 22.01.2016, confirming the petitioner's entitlement.
7. Despite settlement and repeated representations, the respondent No. 1 failed to issue a demand letter, leading to filing of W.P.(C) No.



9435/2016. *Vide* order dated 21.03.2017, the High Court directed issuance of the demand note within four weeks.

8. The respondent No. 1 issued a demand-cum-allotment letter dated 20.12.2017 at the rate applicable for the year 2017-2018 (Rs. 36,656/- per sq. meter). The petitioner objected and requested that rates prevailing in 2015 - 2016 be applied, being the period when the matter stood crystallized after settlement. However, apprehending cancellation, the petitioner deposited 10% of the demanded amount (Rs. 8,87,100/-) on 19.01.2018 under protest.
9. The grievance of the petitioner is confined to the arbitrary charging of rates for the year 2017-2018 instead of the rates prevailing in 2015 - 2016, despite prolonged delay attributable solely to the respondents.
10. Mr. Vashisht, learned senior counsel for the petitioner, states that the petitioner should have been required to pay the rates of the year 2015-16, i.e. the day when the order was passed in the civil suit bearing CS (OS) No. 727/2012.
11. Ms. Chopra, learned counsel for the respondent No. 1, states that after issuance of demand letter dated 20.12.2017, the petitioner has made payments in instalments upto 30.05.2018 and the respondent No. 1 is entitled to interest on payments.
12. As far as the case of the petitioner is concerned, admittedly there were inter se disputes pending between the LRs of Lt. Sh. Mohan Lal.
13. Once the same was resolved and pursuant to the order passed by this court in W.P.(C) No. 9435/2016, the respondent No. 1 duly raised the demand for the said plot in accordance with the rates prevalent in that financial year. There has been no delay on the part of the respondent



No.1. Hence, I am unable to accede to the request of the petitioner in this regard.

14. Hence, the petition is dismissed.
15. However, it is also important to note that the petitioner duly informed the respondent No. 1 that the issue in question regarding the LRs has been resolved *vide* their communication dated 02.02.2016. Despite the same, the respondent No. 1 took no further steps in raising the demand qua the petitioner.
16. Due to this the petitioner was constrained to approach this Court again to seek direction to the respondent No. 1 to raise a demand, which according to me, should not have been so done and the respondent No. 1 should have raised the demand on its own. No satisfactory reason has been shown as to why the demand was raised belatedly.
17. With this conduct of the respondent No. 1, I am of the view that the respondent No. 1 is a public body and cannot be allowed to enrich itself in this way or manner.
18. In view of this, the respondent No. 1 is not entitled to charge any interest on delayed payment.
19. Since the petition has been disposed of and to my mind, there are no further pending issues, the respondent No. 1 shall execute the conveyance deed in favour of the petitioner in accordance with requisite formalities and hand over the possession of the plot in question expeditiously and in any case, not later than 4 weeks from today.

JASMEET SINGH, J

FEBRUARY 20, 2026/sp