
(2015) 01 DEL CK 0115
In the Delhi High Court
Case No : Writ Petition(C) 63/2015

Ajit Kumar and Others

APPELLANT

Vs

D.D.A. and Others

RESPONDENT

Date of Decision : 05-01-2015

Acts Referred:

Citation : (2015) 2 AD 204

Hon'ble Judges : Suresh Kait, J.

Bench : Single Bench

Advocate : Pravesh Tyagi, for the Appellant; Sanjeev Sabharwal, SC, Advocates for the Respondent

Final Decision : Allowed

Judgement

Suresh Kait, J.

CM. No. 97/2015 (for exemption)

1. Exemptions allowed, subject to all just exceptions.

Accordingly, the application is allowed.

W.P. (C) 63/2015

Vide the present petition, petitioners seek directions thereby directing respondent Nos. 2 to 4 for verifying the bona fide of the petitioners for the purpose of allotment/handing over the peaceful possession of the allotted flats in their favour.

The petitioners are refugees from Punjab, who had to leave their native places due to the terrorism activities prevalent in the State of Punjab in the preceding decades and are now residing in Delhi. They have deposited the documents and declared as genuine migrant by the concerned authority after due verification.

2. Pursuant to the scheme of rehabilitation of the Govt. of NCT of Delhi, DDA had

launched an allotment scheme for the Punjab migrants and accordingly, the petitioners applied therein. The draw was held on 20.08.2008 in which the petitioners were declared as successful allottees. Thereafter, respondent No. 1 issued demand letters to each of the petitioners. Pursuant thereto, the petitioners deposited the amount and thereafter petitioner No. 1 Sh. Ajit Kumar was allotted Flat bearing No. 29, Ground Floor, Pocket-3, Block-C, Type-A, Bindapur, New Delhi, petitioner No. 2 Sukh Varsha was allotted Flat bearing No. 43, Ground Floor, Pocket-15, Sector-22, Rohini, New Delhi, petitioner No. 3 Sukhdev Raj was allotted Flat bearing No. 60, Ground Floor, Pocket - 4, Sector - 21, Rohini, New Delhi and petitioner No. 4 Budh Ram was allotted flat bearing No. 115, Ground Floor, Pocket-3, Block-D, Type-A, Bindapur, New Delhi.

3. The conveyance deed was also got stamped from the respective Registrars. However, the allotment of the flat was withheld on the communication sent by the SDM, Punjabi Bagh. Thereafter, the said SDM carried out the verification of the genuineness of the petitioners in their favour. Despite, the DDA has not given the possession of the flats mentioned above.

4. Keeping in view the averments made in the instant petition and submission of the counsel for the petitioners, I direct the petitioners to appear with all relevant documents before the Director (Housing), DDA, INA, New Delhi on 28.01.2015 at 3 PM. On the said date, SDM (West), Punjabi Bagh, New Delhi shall also remain present there. Respondent Nos. 1 and 3 are directed to decide the issue regarding the allotment of flats of the petitioners within two weeks from the said date and the decision taken shall be communicated to the petitioners within one week thereafter.

5. If the petitioners are still aggrieved with the decision of the respondent No. 1, they are at liberty to challenge the same before the appropriate forum.

6. Accordingly, the petition is allowed.

7. Copy of this order be given dasti to the parties. The Registry of this Court is directed to send a copy of this order to respondent No. 3 for compliance.