

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

Date of Order: August 29, 2018

+ **W.P.(C) 6175/2018**

SMT. KASTURI Petitioner

Through: Mr. N.S. Dalal and Mr. Amit
Dhankhar, Advocates

Versus

LAND AND BUILDING DEPARTMENT Respondent

Through: Mr. Yeeshu Jain, Standing Counsel
with Ms. Jyoti Tyagi, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Impugned order of 27th January, 2017 (*Annexure P-1*) rejects petitioner's application for allotment of alternate plot in lieu of acquired land on the ground that the requisite documents have not been supplied.
2. Learned counsel for petitioner draws attention of this Court to petitioner's letter of 30th September, 2016 (*Annexure P-7*) wherein petitioner had sought time to obtain and furnish the requisite documents. Learned counsel for petitioner submits that after the receipt of the requisite documents, the same have been supplied to respondent on the day of the passing of the impugned order i.e. 27th January, 2017. However, it appears that the documents have been filed by petitioner after passing the impugned order. May be on the same day.
3. It is also submitted on behalf of petitioner that though the documents sought by respondent have been furnished, yet if there is still

any deficiency, then the documents sought would be furnished to respondent.

4. At this stage, learned counsel for respondent points out that copy of petitioner's Aadhaar Card and Identity Card duly attested by a gazetted officer is also required to be furnished by petitioner. Learned counsel for petitioner submits that the needful would be done within four weeks from today.

5. In the facts and circumstances of this case, it is deemed appropriate to set aside the impugned order while subjecting petitioner to costs of rupees ten thousand to be deposited with the *Prime Minister's National Relief Fund* within a period of four weeks from today. After the receipt of deposit of costs is produced by petitioner before respondent, petitioner's application be reconsidered by respondent within a period of twelve weeks. The fate of the said application be made known to petitioner within two weeks thereafter, so that petitioner may avail of the remedies as available in law, if need be. It is made clear that if there is any deficiency, it be communicated to petitioner within two weeks, so that petitioner can make good the deficiency and supply the requisite documents within four weeks thereafter.

6. With aforesaid directions, this petition is disposed of.

(SUNIL GAUR)
JUDGE

AUGUST 29, 2018

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