

# Ms. Shveta Srivastav And Ors vs Delhi Development Authority And Ors on 4 March, 2021

**Author: Najmi Waziri**

**Bench: Najmi Waziri**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 12723/2019, CM APPL. 52020/2019 & CM APPL. 2366/2021

MS. SHVETA SRIVASTAV AND ORS.

..... Peti

Through: Ms. Sonia A. Menon, Adv.

versus

DELHI DEVELOPMENT AUTHORITY AND ORS

..... Respondents

Through:

+ W.P.(C) 11903/2019 & CM APPL. 48826/2019

SHRI MANOJ KUMAR AND ORS.

..... Peti

Through: Ms. Sonia A. Menon, Adv.

versus

DELHI DEVELOPMENT AUTHORITY AND ORS.

..... R

Through: Mr. Arun Birbal, Adv. for D

+ W.P.(C) 11977/2019, CM APPL. 49046/2019 & CM APPL. 7559/2021

PRAKASH CHAND & ORS

..... Peti

Through: Mr. Mukesh Sachdeva, Adv.

versus

DELHI DEVELOPMENT AUTHORITY THROUGH ITS VICE  
CHAIRMAN

..... Respond

Through: Mr. Arjun Pant, Sr. ASC with Mr.  
Karanjot Singh Mainee Adv. for  
DDA.

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KUMAR  
Signing Date:05.03.2021

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+ W.P.(C) 12011/2019, CM APPL. 49195/2019 & CM APPL. 7582/2021

RAM PRAKASH YADAV AND ORS. ....

Through: Mr. Mukesh Sachdeva, Adv.

versus

DELHI DEVELOPMENT AUTHORITY

..... Responde

Through: Mr. Arjun Pant, Sr. ASC for DDA

with Ms. Latika Malhotra, Adv.

+ W.P.(C) 12118/2019, CM APPL. 49639/2019 & CM APPL. 7609/2021

SANJAY & ORS

.....

Through: Mr. Mukesh Sachdeva, Adv.

versus

DELHI DEVELOPMENT AUTHORITY THROUGH ITS VICE  
CHAIRMAN

..... Responde

Through: Mr. Arjun Pant, Sr. ASC for DDA

with Ms. Latika Malhotra, Adv.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI  
ORDER

% 04.03.2021 The hearing was conducted through physical court. CM APPL. 7528/2021 & CM APPL. 7529/2021 in W.P.(C) 12723/2019 and CM APPL. 31262/2020, CM APPL. 7437/2021 & CM APPL. 7438/2021 in W.P.(C) 11903/2019

1. Relief similar to the one granted on 22.01.2021 in W.P. (C) 12723/2019 is sought by petitioners. The said order records inter alia, as under:

"....

7. The petitioners wish to pay the due instalments on or before 15.02.2021 and take possession of their flats. Let the possession of the flats be handed over to the applicants/petitioners within two weeks of the receipt of such monies, upon completion of codal formalities. The applicants/petitioners undertake to make payment of further instalments of the principal amount, as per the demand-cum-allotment letter and interest as may be ordered by the court in the related proceedings. ...."

2. The petitioners are ready and willing to pay the down payment and EMIs from the date they are put in possession of the premises. As per the demand letter, the petitioners would have to pay EMIs

of approximately 19 months. The petitioners say that in the present circumstances, this large outstanding EMI is rather onerous for the as they belong to the EWS category. They seek to pay the same in further equated instalments. Therefore, let the arrears of EMIs of the last 19-20 months be paid in 6 equated monthly instalments, along with the current EMIs, as per DDA's schedule. Within a week of the down payment and completion of requisite formalities, the petitioners shall be put in possession of the of their respective flats. The payment of EMIs will start from the date the petitioners are put in physical possession of the premises.

3. The applications are allowed and disposed-off, in terms of the above.

W.P.(C) 12723/2019, CM APPL. 52020/2019 & CM APPL. 2366/2021, W.P.(C) 11903/2019 & CM APPL. 48826/2019, W.P.(C) 11977/2019, CM APPL. 49046/2019 & CM APPL. 7559/2021, W.P.(C) 12011/2019, CM APPL. 49195/2019 & CM APPL. 7582/2021 and W.P.(C) 12118/2019, CM APPL. 49639/2019 & CM APPL. 7609/2021

4. List on 07.04.2021.

5. The next date of hearing already fixed in W.P. (C) 12723/2019 i.e. 25.03.2021 stands cancelled.

6. The order be uploaded on the website forthwith.

NAJMI WAZIRI, J MARCH 4, 2021 AB