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

+ **W.P.(C) 5491/2023 & CM APPL. 21421/2023**

MOHD. AQIL

..... Petitioner

Through: Mr. Tanuj Khurana with
Mr. Ankur Gupta, Advocates.
(M): 9811009959

versus

GOVT. OF NCT OF DELHI

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

28.04.2023

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[Physical Hearing/ Hybrid Hearing]

CM APPL. 21421/2023 (Application on behalf of the petitioner under Section 151 CPC for seeking exemption from filing the certified copy of the annexure, typed copies and also the dim copies of the annexures)

1. Allowed, subject to just exceptions.
2. Application is disposed of.

W.P.(C) 5491/2023

3. The present writ petition has been filed by the petitioner interalia praying for directions in favour of the petitioner and against the respondent for setting aside the order dated 31.01.1992 passed by the respondent.

4. By way of the impugned order dated 31.01.1992, the case of the petitioner seeking allotment of alternative plot in lieu of acquired land had been rejected by the respondent.



5. It is submitted that after the acquisition of the land in question, the petitioner had duly made an application for allotment of alternative plot. However, the said application was kept pending for a long time.

6. It is only now that the petitioner through his Advocate filed an application under the Right to Information Act, 2005, seeking the required information qua the status of the application of the petitioner seeking allotment of an alternative plot.

7. It is submitted that on 17.11.2022, a reply was received by the advocate of the petitioner from the Deputy Secretary of respondent thereby informing him that he may visit the office to inspect/collect the certified copy of the required information. Thus, it is submitted that advocate of the petitioner inspected the original record and file on 17.11.2022 and also sought certified copies of the relevant documents. It is submitted that the impugned letter dated 31.01.1992 issued by the respondent came to the knowledge of the petitioner. In the letter dated 31.01.1992, it has been stated that the request for allotment of alternative plot has been rejected, which letter as per the petitioner was never received or served upon the petitioner.

8. It is further submitted that the request for allotment of alternative plot has been rejected on the ground that the petitioner has failed to submit the required documents. However, it is submitted that the petitioner had deposited all the requisite documents, as can be seen by perusal of letters dated 08.05.1991 and 13.01.1992, which have been attached with the present writ petition.

9. It is submitted that the very genesis and the reason for rejecting the application of the petitioner is totally ill founded and is against the



factual matrix.

10. Issue notice.

11. Reply be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.

12. List on 26.07.2023.

MINI PUSHKARNA, J

APRIL 28, 2023

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