



\$~45

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 654/2024**

DELHI DEVELOPMENT AUTHORITY & ANR.Appellants

Through: Ms.Deeksha L.Kakar with Ms.Shivali
Singh and Mr.Rashneet Singh,
Advocates.

versus

MR. ISWAR CHAND JAINRespondent

Through: None

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **24.07.2024**

C.M.No.41076/2024

1. Exemption allowed, subject to all just exceptions.
2. Accordingly, the application stands disposed of.

C.M.No.41078/2024

3. Keeping in view the averments in the application, the delay in filing the present appeal is condoned.
4. Accordingly, the application stands disposed of.

LPA No.654/2024 & C.M.No.41077/2024

5. Present appeal has been filed challenging the order dated 27th February, 2024 passed by the learned Single Judge in W.P.(C) No.7714/2014, whereby the learned Single Judge directed the appellant/Delhi Development Authority (DDA) to allot a flat at the rate prevalent on the date the respondent was entitled to allotment i.e. 29th March, 1996.



6. Learned counsel for the appellants has filed a compilation of judgments, which shows that there is a conflict of opinion between different Benches as to the date on which the rate of the flat has to be determined. While certain Single Judges have directed allotment on the rate prevailing at the time of filing of writ petition, some have directed the allotment at the rate prevalent on the date respondent was held entitled to allotment. Few Single Judges have dismissed similar writ petitions on the ground of delay and laches.

7. Keeping in view the conflict of opinion, issue notice to the respondent by all modes of service including *dasti*, returnable on 27th November, 2024.

8. The appellants are directed to comply with the impugned order and judgment dated 27th February, 2024 subject to further orders to be passed by this Court.

ACTING CHIEF JUSTICE, J

TUSHAR RAO GEDELA, J

JULY 24, 2024
KA