

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR
BENCH JAIPUR

ORDER

S.B. Civil Writ Petition No. 5601/2009
JDA vs. The Appellate Tribunal Jaipur & Ors.
with
S.B. Civil Writ Petition No. 5602/2009
JDA vs. The Appellate Tribunal Jaipur & Ors.
with
S.B. Civil Writ Petition No. 5603/2009
JDA vs. The Appellate Tribunal Jaipur & Ors.

Date of Order: 21st April, 2016

HON'BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA

Mr. Mahendra Goyal, for the petitioner.
Mr. S.N. Kumawat, for the respondents.

On 26.2.2016, a co-ordinate Bench had issued following directions:-

“Taking into consideration the submission of Mr. Shikhar Agrawal, Commissioner, JDA, I would direct that the Principal Secretary, Urban Development & Housing Department to address the JDA's letter dated 18-1-2016 and provide clarification thereon within a period of four weeks from the date of receipt of a certified copy of this order. Thereafter within a period of two weeks, the Commission, JDA is directed to ensure that the case of respondents for allotment of plots in exchange of their plots on 200 ft. Airport Road, with reference to Section 44 of the Act of 1982 is disposed of in a non discriminatory manner. It is directed that the mere fact of respondents not having made unauthorised constructions on their plots allotted by the Housing

Cooperative Societies in the Samrat Nagar Scheme not be a cause to their detriment.

The case along with connected cases be listed on April, 20, 2016.

A copy of the order be supplied to Mr. Mahendra Goyal.”

The learned counsel for the petitioner submitted that in pursuance of the directions issued, petitioner had sought clarification from the State Government and till today no response has been received by the JDA from the State Government.

A perusal of the above order reveals that a specific direction was issued to Principal Secretary, Urban Development and Housing Department to redress the grievance ventilated in the letter dated 18.11.2016 within a period of four weeks by issuing a clarification.

Secretary, Urban Development and Housing Department has not complied with the directions issued by this Court on 26.2.2016. Hence, he is called upon to file affidavit, explaining as to why order of the Court has not been complied with.

The Commissioner, JDA is directed to serve a copy of this order upon Secretary, Urban Development and Housing Department.

List this case for further proceedings on 25.4.2016.

A copy of this order under the seal and signature of the Court Master be handed over to Mr. Mahendra Goyal, the learned counsel for the petitioner for onward transmission and necessary compliance.

(KANWALJIT SINGH AHLUWALIA),J.

Mak/-

*All corrections made in the judgment/order
have been incorporated in the judgment/order
being emailed.” Anil Makawana P.A.*

RAJASTHAN HIGH COURT



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