

Listed on 13.01.2015
Before Court No. 5
Item No. 10

SECTION:XIV
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (C) Nos.
16385-16388/2012

AND
INTERLOCUTORY APPLICATION Nos. 26-28
(Application for direction)

Rahul Gupta ...Petitioner
Versus
DDA & Ors. ...Respondents

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 08.07.2014, when the Court was pleased to pass the following order:-

"We are informed by the respondent-Delhi Development Authority (for short 'the D.D.A.') that there were 24529 successful registrants, pursuant to the draw of lots held on 12.06.2012. The affidavit filed in this respect by the learned counsel appearing for the D.D.A. was already taken on record on 03.08.2012 by this Court.

Shri Prashant Bhushan and Shri Rajiv Dutta, learned counsel appearing for the successful registrants would submit that though the draw of lots was held on 12.6.2012, the respondents have not yet issued the allotment letters of developed plots.

In our view, there is inordinate delay on the part of the D.D.A. in allotting the developed plots of land to the successful registrants in the draw held on 12.6.2012. Keeping this aspect of the matter in view, we now direct the D.D.A. to issue the allotment letters of the developed plots to the successful registrants in the draw held on 12.6.2012, within four months' time from today.

If, for any reason, the respondents fail to comply with the order passed by us, we will not hesitate to initiate appropriate contempt proceedings against the responsible/erring officials/officers of the D.D.A.

Call the matter after four months."

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It is submitted that aforesaid order was communicated to High Court as well as Delhi Development Authority.

It is further submitted that application for direction (registered as I.A. Nos. 26-28) filed by the counsel appearing for D.D.A. was lastly listed on 31.10.2014, when the Court was pleased to pass the following order:-

"The Delhi Development Authority has approached this Court by filing interlocutory application nos.26-28 of 2014 with the following prayers:

(a) direct that the allotment of plots in question be made in a phased manner;

(b) direct that the allotment of plots in question for the 1st and 2nd lot be made by January, 2015 (3700 plots) and February, 2015 (7300 plots) with the mandate that electricity connections will be made available to the plot holders by June, 2015;

(c) pass such other order or orders as may be deemed fit and proper."

During the course of hearing, learned counsel representing the Delhi Development Authority agreed that allotment letters will be issued to 11000 applicants positively by 30.11.2014. Thereupon, it will be open to the allottees to comply with the terms and conditions of allotment. Such of the allottees, who comply with the terms and conditions of allotment by 1.3.2015, shall be handed over physical possession of fully developed plots (other than the provision for electricity connection) in terms of the undertaking explicit in the prayers made before this Court, as have been extracted hereinabove.

List again for further consideration on 9.3.2015.

The Chief Engineer, who has filed the affidavit in support of the instant applications, as also the Vice-Chairman of the Delhi Development Authority are directed to remain present in Court in person, in case the directions given hereinabove are not fully complied with by the next date, in which eventuality coercive action in terms of the order passed by this Court on 8.7.2014 shall be taken against them."

It is submitted that Mr. Praveen Swarup, Advocate has on 24.11.2014 filed Vakalatnama/Appearance on the behalf of

...3/-

...3...

Respondent No. 3 (North Delhi Municipal Corporation) in SLP (C) No. 16385/2012 but has not filed Counter Affidavit so far.

It is further submitted that Mr. Vikas Upadhayay, Advocate has filed Vakalatnama/Appearance on behalf of Respondent No. 5 (NDPL) in SLP (C) No. 16385/2012 but has not filed Counter Affidavit so far.

It is lastly submitted that notice of hearing for listing the matter before Hon'ble Court for 13.01.2015 was issued to respondent in person by speed post. Nothing has been received back so far.

The matters above mentioned are listed before the Hon'ble Court with this Office Report.

DATED THIS THE 10th DAY OF JANUARY, 2015.

ASSISTANT REGISTRAR

COPY TO:

1. Mr. Rohit Kumar Singh, Adv. Ch. No.
2. Ms. Binu Tamta, Adv. Ch. No.
3. Mr. R. Nedumaran, Adv. Ch. No.
4. Mr. Alok Gupta, Adv. Ch. No.
5. Mr. P. Parmeswaran, Adv. Ch. No.
6. Mr. Kishan Lal, Respondent -in-person
Mr. Krishan Lal, (Respondent in person),
R/o 90/88, Ground Floor,
Malviya Nagar,
New Delhi-110017
Ph. No. 9891137215

ASSISTANT REGISTRAR

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