

Ò IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
SPECIAL LEAVE PETITION (C) NO.17164 OF 2013

SANCHAL FOUNDATION ... PETITIONER(S)  
VS.  
DELHI DEVELOPMENT AUTHORITY & ORS. ... RESPONDENT(S)  
O R D E R

1. The factual position, as it eventually emerges, is depicted in an affidavit dated 13<sup>th</sup> April, 2015, filed by the Chief Engineer (NZ), Delhi Development Authority, wherein, paragraph 11 narrates as under :

â S Thereafter, these 94 evictees of Banuwal Nagar and Pragati Market were re-examined afresh at the level of CLM and the eligibility of these evictees was determined on the basis of the relaxed norms i.e. subject to possession of either of the two documents viz. Photo Identity Card or Ration Card and found 28 cases eligible and 66 cases as ineligible from the total 94 evictees. Out of these 28 evictees, only 24 evictees (17 from Banuwal Nagar and 7 from Pragati Market) submitted their original documents and 4 evictees did not turn up despite sufficient opportunities by issuing several written notices. Letters were sent to these 24 evictees to furnish documentary evidence in support of their continuous stay in the Jhuggi up to the date of removal of the jhuggies as prescribed under the policy for allotment of alternate plot and out of which only 21 appeared till date.â \235

2. It is not necessary for us, in the facts and circumstances of the case, to examine the matter any  
1

further. We however, direct the respondent-Delhi Development Authority to record reasons, in respect of the evictees, referred to in paragraph 11 extracted hereinabove, who have not been found eligible. Such reasons shall be communicated by the Delhi Development Authority to the petitioner, within four weeks from today.

3. On the receipt of the details, as may be furnished to the petitioner, it shall be open to the evictees to raise a claim towards their eligibility and entitlement (to a plot allotment), in consonance with law.

4. The special leave petition is disposed of in the above terms.

.....CJI.  
[JAGDISH SINGH KHEHAR]  
.....J.  
[N.V. RAMANA]  
.....J.  
[Dr. D.Y. CHANDRACHUD]  
.....J.  
[SANJAY KISHAN KAUL]  
New Delhi;  
17<sup>th</sup>  
February, 2017.  
2

ITEM NO.37 COURT NO.1 SECTION XIV  
S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).17164/2013  
(Arising out of impugned final judgment and order dated 17/04/2013  
in WPC No.790/2012 passed by the High Court Of Delhi At New Delhi)

SANCHAL FOUNDATION

Petitioner(s)

VERSUS

DELHI DEVELOPMENT AUTHORITY & ORS.

Respondent(s)

(With interim relief and office report)

(For final disposal)

Date : 17/02/2017 This petition was called on for hearing today.

CORAM :

HON&#39;BLE THE CHIEF JUSTICE

HON&#39;BLE MR. JUSTICE N.V. RAMANA

HON&#39;BLE DR. JUSTICE D.Y. CHANDRACHUD

HON&#39;BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.

Mr. Fidel S., Adv.

For Ms. Jyoti Mendiratta, Adv.

For Respondent(s) Ms. Binu Tamta, Adv.

Ms. Uttara Babbar, Adv.

Mr. Rajiv Nanda, Adv.

Mr. Sachin Sharma, Adv.

Mr. R.K. Rathore, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The special leave petition is disposed of in terms of the signed order. Pending application, if any, shall also stand disposed of.

(Sarita Purohit)

(Renuka Sadana )

Court Master

Assistant Registrar

(Signed order is placed on the file)

3