

**Abhimanyu Kumar Sethi Vs. Delhi Development Authority and anr.**

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**SooperKanoon Citation :** [sooperkanoon.com/696276](http://sooperkanoon.com/696276)

**Court :** Delhi

**Decided On :** Feb-18-1992

**Reported in :** 47(1992)DLT295

**Judge :** Y.K. Sabharwal and; D.K. Jain, JJ.

**Acts :** [Constitution of India](#) - Article 226

**Appeal No. :** Civil Writ Appeal No. 1981 of 1991

**Appellant :** Abhimanyu Kumar Sethi

**Respondent :** Delhi Development Authority and anr.

**Advocate for Pet/Ap. :** D.R. Gupta and; N.K. Kaul, Advs

**Judgement :**

**Y.K. Sabharwal, J.**

(1) In this writ petition the petitioner has prayed for quashing of demand/allotment letter dated 12th/ 13/03/1991 by which L I G Flat No. C-6, 141, Ground Floor, Lawrence Road, New Delhi, was allotted to him and a demand in the sum of Rs. 1,70,800.00 was made. The petitioner has also sought a writ of mandamus directing the respondents not to charge anything more than Rs. 13.200.00 for the said flat and in any case not more than Rs 18 000?- as per the terms and conditions of Registration Scheme on NewPattern. The case of petitioner is that in

the year 1973 similar flats were allotted by Dda for Rs. 13,200.00. The petitioner got himself registered in the year 1980 under 1979 Scheme and as such the rate at which allotment was made in the year 1973 is not relevant.

(2) The amount of Rs. 18,000.00 for Lig flats as given in 1979 Scheme was tentative. The respondent-DDA in answer to show cause has explained that the amount of Rs. 1,70,800.00 has been worked out on 'No profit No loss basis'. The petitioner has not pleaded in the writ petition that in working out the sum of Rs. 1,70,800.00 the respondents have taken into consideration extraneous matters. The reliance of petitioner upon D.D.A. (Disposal of Developed Nazul Land) Rules, 1981 is misconceived as, in our opinion, the said rules have no applicability in considering the fixation of prices of the flats. Further, the question of fixation of the price of the flat, under the facts and circumstances of the present case, cannot be gone into in exercise of power under Article 226 of the [Constitution of India](#) and this aspect is covered by the judgment of the Supreme Court in Bareilly Development Authority & Am. v. Ajai Pal Singh & Ors.;, Judgment Today 1989 (1) 368 as also by the Division Bench judgment of this Court in C.W. 2265 of 1991 Veena Saxena v. D.D.A. decided on 15/01/1992.

(3) The petition is, accordingly, dismissed. Petition accordingly dismissed.