

Ravindra Mohan Aggarwal Vs. Delhi Development Authority

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Court : Delhi

Decided On : Aug-01-1991

Reported in : 1992RLR84

Judge : S.B. Wad and; Shamim, JJ.

Appeal No. : Civil Writ Appeal No. 618 of 1990

Appellant : Ravindra Mohan Aggarwal

Respondent : Delhi Development Authority

Advocate for Pet/Ap. : A.S. Chandhiok and; R. Sethi, Advs

Judgement :

(1) Plot No. 13 at Site No. 58 Kalkaji was auctioned and the petitioners's bid was accepted and auction was confirmed in his favor. The Delhi Development Authority however, is not able to hand over the plot to the petitioner because according to the D.D.A. the plot is in the green belt. It is for Dda to explain as to how a plot in the green belt was even initially put to auction, but in any case it was not a fault of the petitioner that he has successfully bid in the auction and the auction was confirmed in his favor. Counsel for the respondent D.D.A. however submits that the D.D.A. is not obliged to grant any other plot to the petitioner since there is no privity in regard to the second plot, and under the Rules the second plot cannot be allotted unless fresh auction is held. We do not find any substance in the submission in the face of acute shortage of land and high expectations of citizen to

get land. The petitioner has a right to get a plot from the D.D.A. once the bid of the petitioner has been accepted. We direct the Dda to give a plot to the petitioner of equivalent measurement at the same price in same area; and if it is not available in the same area; in the adjoining area within two months from today.

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