

*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 494/2007

LAL SINGH

..... Petitioner

Through Mr.R.K.Saini, Adv.

versus

D.D.A

..... Respondent

Through Mr.Shivank Singh for Mr.Yeeshu Jain, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

ORDER

% 25.03.2008

1. The dispute is about identity of the petitioner. The respondent/DDA by letter dated 14.8.2006 has held that Mr.Lal Singh, the petitioner, resident of Village Droli Bhai Ji, District Mogga, Punjab is not the same person who had got himself registered under the Rohini Residential Scheme, 1981 vide application no.160994. The difficulty is compounded as the the petitioner

claims that he has lost the original FDR, which was issued by DDA at the time of registration. The petitioner had filed photocopy of the ration card and driving licence to establish his identity and to show that he is the same person who was registered with DDA. DDA refused to rely on the said documents as discrepancy was found in the date of birth and the ration card in question was in Punjabi.

2. The petitioner also states that he was earlier residing in Delhi but after 1984 riots he has shifted to his native Village in District Mogga, Punjab.
3. I may also note here that DDA by letter dated 12.7.2006 had asked the petitioner to explain the difference of date of birth in the driving licence and submit English or Hindi translated version of the ration card which was in Punjabi and an affidavit and indemnity bond for loss of FDR. In addition, the petitioner was also asked to get his signatures duly attested by a Gazetted Officer.
4. The petitioner, who is present in the Court states that he had complied with the said request letter. The petitioner has lodged a police complaint against the loss of the original FDR. The petitioner is an illiterate person and should be given a just and fair opportunity to make good his claim that he is the same person who is registered under the application no. 160994. The petitioner will collect and produce relevant material and evidence to prove his identity and appear in person before Director (RL) on 1st May, 2008 at 3.00 p.m. He shall also file an affidavit and an indemnity bond as

were required vide letter dated 12.7.2006, even if they were filed earlier. Speaking order will be passed by the Director (RL) within four weeks thereafter and will be sent to Sh. Lal Singh at his residential address at Mogga, Punjab.

5. Learned counsel for the petitioner submitted that registration of the petitioner should not be treated as cancelled as he had approached DDA on 30.3.2006 within six months of the issuance of the allotment letter and till then registration had not been cancelled. There is merit in the said contention, in case the petitioner is able to prove and establish that he is the same person who was registered vide application form no.160994. However, the petitioner has no right to claim allotment of plot bearing no.843, pocketA-1, Sector 29, Rohini, New Delhi.
6. It is clarified that DDA will be entitled to charge current cost as per their policy; in case the petitioner is entitled to allotment.

The writ petition is disposed of.

Dasti to both the parties.

SANJIV KHANNA,J

MARCH 25, 2008

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