

PETITIONER:
JAGE RAM & ORS.

Vs.

RESPONDENT:
UNION OF INDIA & ORS.

DATE OF JUDGMENT 09/11/1995

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
AHMAD SAGHIR S. (J)

CITATION:
1995 SCC Supl. (4) 615 JT 1995 (9) 126
1995 SCALE (6) 431

ACT:

HEADNOTE:

JUDGMENT:

WITH

WRIT PETITION [C] NO.851 OF 1988

Jodha Ram & Ors.

V.

Union of India & Ors.

O R D E R

The only question raised in these two writ petitions is whether an observation is to be made by this Court to the effect that the petitioners would be entitled to allotment of alternative sites by the Delhi Development Authority. It is true that the lands of the petitioners were acquired for a defence purpose, viz., establishment of Radar. They were duly paid the compensation demanded of. One of the reliefs sought in the writ petitions is that since they have been displaced from their holdings, they need some site for construction of their house and that, therefore, the Government of India may make an effort to provide them alternative sites. We are aware of the decision rendered by this Court in State of U.P. vs. Pista Devi [(1986) 4 SCC 251 at 260]. But it depends upon the acquisition for which it was made. In that case, acquisition for which it was made. In that case, acquisition related to planned development of housing scheme by Meerut Development Authority. Therefore, though no scheme was made providing alternative sites to those displaced persons whose lands were acquired and who themselves needed housing accommodations, a direction was given to the Meerut Development Authority to provide alternative sites for their housing purpose. Since the acquisition is only for defence purpose and if the request is acceded to, it would create innumerable complications, we are constrained not to accede to forceful persuasive argument addressed by Mr. R.P. Gupta, learned counsel for the petitioners.

The writ petitions are accordingly dismissed. No costs.

JUDIS