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

\# **CNR No. DLHC011968772012**

Date of Decision: 02.09.2026

\+ W.P.(C) 7733/2012

ASHOK CHAND ....Petitioner

Through: Mr. R. K. Saini, Mr. Abhishek, Advs.

versus

D.D.A. .....Respondent

Through:

Mr. Atul Guleria SPP-CBI with Mr Aryan Rakesh Adv Mr Vivek Maurya Adv

Mr. Ripudaman Bhardwaj SPP, Mr.Kushagra Kumar Mr Amit Kumar Rana, Mr Anmol Ghai Advocates for CBI

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

: JASMEET SINGH, J (*ORAL*)

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

> *"a) A Writ of Certiorari calling for the records of the case and peruse the same;*
>
> *b) A Writ of Certiorari quashing the action of the Respondent / DDA in first cancelling the allotment of the Petitioner, after*

receiving back the allotment letter sent at the old address, despite intimation regarding new / changed address and then declining to restore and make alternative allotment at old rate + interest (limited to current cost), as per policy, being illegal, arbitrary, discriminatory, unjust and in violation of the rules, regulations & the policy and the principles of equity, natural justice and good conscience;

c) A Writ of Mandamus directing the Respondents to forthwith make alternative allotment to the Petitioner of a similar Flat in same area/zone at old rates + interest (limited to current cost), as per the policy and hand over possession thereof after payment and also execute the lease deed.

d) A Writ of mandamus commanding the respondent to pay the cost of the petition to the petitioner. ...''

2. The brief facts are, that the petitioner got himself registered with the respondent under Special Housing Registration Scheme for SC/ST known as Ambedkar Awas Yojana *vide* application No. 9339 for allotment of MIG flat and made payment towards the registration deposit. The registration form is relevant and is reproduced as under:-

Signed By:ANSH SRIVASTAVA
Signing Date:17.09.2026 18:45

ACKNOWLEDGMENT

DELHI DEVELOPMENT AUTHORITY

Two Specimen signatures of the applicant (in Hindi and English)

1. Ashok Chand
2. Ashok Chand

Identification mark scar mark above right eye on forehead.

Name of applicant: Ashok Chand

Received application form bearing number as indicated above for registration under the Special Housing Registration Scheme for SC/ST – 1989.

Date: 29.12.1989

Sd/-
(Authorised Bank Officials' Signature with seal)

TRUE COPY

Signed By:ANSH SRIVASTAVA
Signing Date:17.09.2026 18:45

CHALLAN NO. 9339

DELHI DEVELOPMENT AUTHORITY

SPECIAL HOUSING REGISTRATION SCHEME FOR SC/ST PERSONS 1989

Challan for remittance of Registration Deposit to the Bank by the intending registrants

TRIPLICATE

To be returned to the person making to the payment by the Bank which will be returned to DDA by the applicant.

Name of the Branch of Central/State Bank of India where payment of registration deposit is being remitted SBI, Delhi Cantt.

Name and postal address as filled in the application form	Particulars of Regn. category of flat applied for MIG/LIG/Janta	Deposited amount
Ashok Chand 21E-DB Block, DDA LIG Flat, G-8 Hari Nagar, New Delhi-110064.	R.M. Processing fee	12000.00 200.00 12200.00

Pay order/Demand draft No.869823 dated 29.12.89.

Name of the bank on which drawn : SBI, Delhi Cantt.

Amount deposited (in words): Twelve Thousand only.

Sd/-
Signature of applicant

Received the above amount and issued RDR No.

Dated: 29. Dec. 2009

Sd/-
(Authorised Bank Official
Signature with seal)

Signed By:ANSH SRIVASTAVA
Signing Date:17.09.2026 18:45

STATE BANK OF INDIA

DRAFT/MT./BC APPLICATION

Dated: 29.12.1989

Name of Applicant	:	ASHOK CHAND
Amount in words	:	
Dft./MT/BC	:	12200.00
Amount exchange	:	5.00
Total	:	12205.00

Sd/-
Cashier

Sd/-
Cash Officer Passing Official

TRUE COPY

3. A perusal of the same aforesaid shows that the address of the petitioner is 21E-DB Block, DDA LIG Flat, G-8 Hari Nagar, New Delhi-110064. The petitioner on 24.12.1993, shifted his residence to 36-C/7, I.A. Colony, Kalina, Santacruz (East), Bombay 400029 and as per the petitioner, he also informed the respondent in writing through a letter dated 24.12.1993, bearing the dispatch No. 2420.

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4. The petitioner in 2012 came across a public notice issued by the respondent regarding completion of allotments of different categories of flats under various registration schemes and having no allotment as pending with the respondent. Hence, the petitioner filed the present writ petition.

5. From the facts narrated above and as per Mr. Saini, learned counsel for the petitioner, the address of the petitioner in the knowledge of the respondent was 21E-DB Block, DDA LIG Flat, G-8 Hari Nagar, New Delhi-110064.

6. There is also permanent address of the petitioner, which was available with the respondent, i.e., H. No. 1273, Sector-8, Chandigarh.

7. My attention has been drawn to Annexure G at page 124 of the paperbook, wherein the demand-cum-allotment letter bearing demand letter No. 16435 and dated 26.06.2002-05.07.2002 has been sent to the petitioner at his House No. 1273 Sector-8, Chandigarh. Even though the other addresses i.e., House No. 1845, Basti Ram Dass, Kotla Mubarakpur, New Delhi and 21E-DB Block, DDA LIG Flat, G-8 Hari Nagar, New Delhi-110064, were available on the said allotment letter but the same have been cancelled.

8. The counter affidavit of the respondent shows the dispatch from the record register with No. 9339 showing that the demand-cum-allotment letter has been sent to the petitioner at House No. 1845, Basti Ram Dass, Kotia Mubarakpur, New Delhi. However, the said address was neither on the registration form nor in any other document submitted by the petitioner to the respondent.

9. Ms. Tripathy, learned standing counsel for the respondent states that not only the letter but advertisements were also issued in leading

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newspapers, hence, the petitioner had knowledge of the allotment.

10. This argument of the respondent lacks merit as I have already in the judgment of ***Kiran Bhatia v. DDA, W.P.(C) 403/2011,*** by placing reliance on the judgment of Hon'ble Division Bench titled ***Delhi Development Authority v. Mahinder Pal Sikri, 2013 SCC OnLine Del 4803,*** reiterated the holding of the Hon'ble Division Bench that public notices published in newspapers cannot be treated as a substitute for individual notices, which are to be served upon the persons whose valuable rights are at stake *qua* the subject matter of communication which is addressed. The relevant paragraphs of ***Kiran Bhatia (Supra)*** reads as under:

> *"15. The issue in controversy is no longer res integra. A perusal of the paragraphs reproduced above from Mahinder Pal Sikri (supra), show that the Division Bench of this Court held that writ petitions filed under a year or year and a half from the date of knowledge of allotment does not amount to inordinate delay. The Division Bench further observed that when DDA has available with it the occupational address of the petitioners, the obligation was on DDA to inform the petitioners at all available addresses, instead of substituting this obligation for a press notice.*
>
> *16. Hence, once the DDA takes a long time between application for allotment and allotment, the onus on the petitioner is less to explain the delay and the petitioner is to only to show that from the date of knowledge of the allotment, the petitioner has knocked the door of the Court within a reasonable time.*

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17. As per the averments made in the present petition, the petitioner became aware that the allotment had been made in May 2010 and the petitioner approached this Court in the year 2011. Hence, in light of the judgment Mahinder Pal Sikri (supra), it cannot be said that the case of the petitioner is hit delay and laches.

18. The Division Bench of this Court in Mahinder Pal Sikri (supra) also held that where more than one address is available on the file of DDA, it is incumbent on DDA to serve allotment letter on all the addresses available, which in the present case the DDA did not do."

11. In view of the above, it is clear, that the respondent has not sent the demand-cum-allotment letter at all the addresses available with the respondent.

12. The issue of delay and laches has also been addressed in the judgement as reproduced above and from the facts of this petition it is clear that the petitioner became aware of the completion of allotment only from the public notice dated 22.11.2012 and of the cancellation on 06.12.2012. Thereafter, the petitioner filed the present petition on 11.12.2012, hence, the same cannot be said to be barred by delay and laches.

13. For the said reasons, the petition is allowed and the petitioner shall be allotted a flat as per the entitlement of the petitioner in accordance with the 2012 rates, i.e., the date of filing of the writ petition.

14. In case the said rates are not available, the respondent shall proportionately increase/decrease the value to make it in consonance with the rates prevailing in 2012.

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15. The needful shall be done expeditiously and not later than 12 weeks from today and consequential steps shall be taken within another period of 12 weeks thereafter.

16. Since the petition is being allowed, I am not inclined to precipitate the matter any further *qua* the CBI inquiry.

17. With aforesaid directions, the petition is disposed of along with pending applications, if any.

JASMEET SINGH, J

SEPTEMBER 2, 2026/AS

(corrected and released on 17.09.2026)

Signed By:ANSH SRIVASTAVA
Signing Date:17.09.2026 18:45