

# JUSTICE VIKRAMAJIT SEN

Former Judge of the Supreme Court of India

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## PROCEDURAL ORDER NO. 12 DATED 04-02-2017

Okhla Enclave Plot Holders Welfare Association & Ors.

Petitioners

Versus

Union of India & Ors.

Respondents

Present:

Shri Piyush Sharma, Advocate and Shri M.P. Pandey General Secretary of Okhla Enclave Plot Owners Welfare Association (Regd).

Shri Sudarshan Rajan, Advocate with Mr. Kishorilal for Durga Builders Plot Holders Welfare Association (Regd).

Shri. Keshav. V. Hegde, Advocate for Durga Builders Plot Booking Holders Forum.

Shri. Vikrant Yadav, Advocate for Ritu Budhiraj & Ors.

Shri. Shivam Garg, Advocate for JK Kalra & Ors.

Dr. Monika Gusain, Advocate on Record, Advocate for the State of Haryana with Shri Anil Dabas, DTP Haryana

Shri Mohit Chaudhary, Shri Nitin Mishra and Shri Kunal Sachdeva, Advocates for Durga Builders Private Limited.

Shri Rahul Malhotra and Shri Tanuj Arora, Advocates for Okhla General Plot Holders Welfare Association.

Shri Rajat Agnihotri, Advocate for Mrs. Usha Khattar & Ors.

1. It has been informed by Dr. Monika Gussain that till date 18 meetings of the Committee had been held for the purpose of scrutiny of representations. So far, around applicants for 577 representations have been called by the Committee for examination and 462 have finally turned up.
2. It is further submitted by Dr. Gussain, despite being called for scrutiny repeated times, some applicant do not appear before the Committee. This Tribunal holds that service of the fact that an application is due for scrutiny must be done three times and thereafter, the scrutiny Committee should decide ex parte.
3. Dr. Gussain submits that total 2250 representations have been received thus far and the applications are still trickling in at the office of DTCP Haryana even after the due date. This Tribunal directs that for the sake of convenience, the Committee should only consider the applications made within time.
4. It is impressed upon the Committee that the process of scrutiny should be completed within 3 months. The DTCP is directed to forward the details regarding the registry records to the Builder/Developer. This Tribunal directs the Committee to submit a Status Report regarding the status of the process of scrutiny at the next date of hearing.

5. Shri Rahul Malhotra, Counsel for Okhla General Plot Holders Welfare Association undertakes to submit the documents regarding the General category Plot owners once the scrutiny of the NPNL category is over.
6. The Tribunal shall next assemble on 01-04-2017 at 2.00 PM.

Justice (Retd.) Vikramajit Sen