

**BEFORE JUSTICE (RETD.) VIKRAMAJIT SEN
THE SOLE ARBITRAL TRIBUNAL**

In the matter of:

Okhla Enclave Plot Holders Welfare Association & Ors. Petitioners

Versus

Union of India & Ors. Respondents

Present:

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

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

Shri Rakesh Verma, President, Okhla Enclave Pot Holders (Allottees) Forum

Shri Rahul Malhotra and Shri Varun Garg, Advocates for Okhla General Plot Holders Welfare Association.

Shri Shivom Garg and Ms. Suman Lata Katiyar, Advocates for JK Kalra & Ors.

Shri Manjit Singh for Shri Keshav Hegde, Advocate for Durga Builder Plot Booking Holders Forum.

Mr. Satbir Singh

Dr. Monika Gusain, Advocate on Record, Advocate for the State of Haryana with Shri Mohan Lal (Naib Tehsildar, Faridabad) , Shri. N.S. Chauhan (Senior Town Planner), Shri Anil Dabas (DTP(P)) Faridabad with Shri Pawan Gupta (J.E.)

Shri Nitin Mishra and Shri Gaurav Ghose, Advocates with Shri Sanjeev Uppal, AR for Durga Builders Private Limited.

PROCEDURAL ORDER NO. 15
DATED 04-08-2017

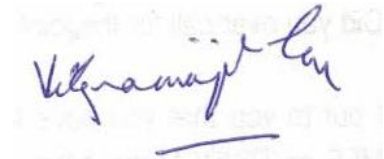
1. Dr. Monika Gussain has moved an Application seeking extension of time by two months for submission of the Scrutiny Report (as directed in the previous Order dated 26-05-2017). It has been submitted by Sh. N.S. Chauhan, Senior Town Planner that the Scrutiny Committee shall henceforth assemble on every Monday, Tuesday, Thursday and Friday, 2.30 PM onwards to ensure that the Report is ready within the next two months. In support of the Application, Dr. Gussain has also submitted a Memo which records consent given by all the participating Plot Holder Associations, the Builder/Colonizer and Tehsildar towards extension of time for preparing the Scrutiny Report by the Committee. In view of the aforesaid, the Tribunal grants a last and final extension of time by two months for preparation and submission of the Scrutiny Report to the Tribunal, on or before 04-10-2017.
2. In compliance of Order dated 24-05-2017, Mr. Kishori Lal (General Secretary, Durga Builders Plot Holders Welfare Association (Regd.)) has handed over a list of all pending litigations in various District Courts which are within his knowledge to Mr. Nitin Mishra, Counsel for the Builder/Colonizer.
3. The Tribunal has been informed by Mr. Anil Dabas, DTP(P), Faridabad that the members of the Okhla Enclave Pot Holders (Allottees) Forum had approached the Scrutiny Committee on 15-06-2017 in terms of the previous

Order dated 26-05-2017. However, Mr. Anil Dabas has submitted that despite prior intimation the members of the Okhla Enclave Pot Holders (Allottees) Forum have not appeared before the Scrutiny Committee. Mr. Rakesh Verma, President of Okhla Enclave Pot Holders (Allottees) Forum has submitted that their claims should not be scrutinized by the Scrutiny Committee as their claims have attained finality. The Tribunal directs the Okhla Enclave Pot Holders (Allottees) Forum and the Scrutiny Committee to comply with the directions set out in Para No. 6 of the previous Order dated 26-05-2017.

4. Ms. Suman Lata Katiyar has filed Applications for Directions on behalf of one Smt. Neelam Kalra and Sh. Satish Kumar Khetrapal seeking addition of their names in the list of claimants. It is to be noted that the Scrutiny Committee so formed by this Tribunal vide Order dated 23-07-2016 and 03-09-2016 is closely examining and scrutinizing the claims of all allottees who have approached them, to settle their claims of allotment of plots. In view of the same, these Applications warrant no orders from this Tribunal.
5. The Tribunal has received a request/communication dated 11-07-2017 from one Mr. Satbir Singh seeking scrutiny of his claim/application submitted to the Scrutiny Committee beyond the cut-off date which was 16-09-2017. Vide Order dated 26-05-2017, the Tribunal had decided that *'applications/claims received beyond the cut-off date will not be considered at this stage'*. In view of the same, the request of Mr. Satbir Singh is regretfully declined. A similar request/ communication dated 24-07-2017 received on behalf of Okhla Enclave Joint Committee is also regretfully declined for the same reasons. It cannot be lost sight of that if the

aforementioned requests are allowed, then the Tribunal will have to allow each and every application/claims which has been received after 16-09-2016 making the process of Scrutiny unceasing.

6. As the process of scrutiny of NPNL category is near completion, the survey of the plot land has to be resumed. Mr. N.S. Chuahan, Senior Town Planner has assured the Tribunal that the task of survey of land will resume after the monsoon season is over. He has also informed the Tribunal that demolition drives are being conducted on the plot land at regular intervals to ensure that no encroachment remains on the plot land.
7. The Tribunal directs all the parties herein to take immediate steps to comply with the directions laid in Para No. 8 of the previous Order dated 26-05-2017 and approach the Hon'ble Supreme Court for necessary directions/extension of time and report to this Tribunal.
8. The Tribunal shall next assemble on 28-10-2017 at 4.30 PM.

A handwritten signature in blue ink, reading "Vikramajit Sen", is written over a faint, rectangular stamp. The signature is cursive and includes a horizontal line underneath the name.

Justice (Retd.) Vikramajit Sen