

# JUSTICE VIKRAMAJIT SEN

Retired Judge, Supreme Court of India

*Chambers:* 104/6, Second Floor, Parmanand Estate  
Maharani Bagh, New Delhi 1100065  
Mobile: +91 8447333366 Landline: 26317274  
E-mail: [senvikramajit@gmail.com](mailto:senvikramajit@gmail.com)

*Residence:* E-13, Kalindi Colony, C V Raman Marg, New Delhi-110 065.  
Mobile: +91 8447333366 Landline: 26327274

## PROCEDURAL ORDER NO. 6 DATED 04-06-2016

Okhla Enclave Plot Holders Welfare Association & others .....  
Petitioners

Versus

Union of India and others ..... Respondents

**PRESENT:** Shri Piyush Sharma, Advocate, and Shri M.P. Pandey Office-Bearer of Okhla Enclave Plot Owners Welfare Association (Regd)

Shri Sanjay Jain, Advocate, and Shri Kishori Lal Office-Bearer of Durga Builders Plot Holders Welfare Association (Regd)

Shri Rahul Malhotra and Tanuj Arora Advocates of Durga General Plot Holders Welfare Association

Shri Mohit Chaudhary, Nitin Mishra and Damini Chawla Advocates for Durga Builders Private Limited

Dr. Monika Gusain, Advocate on Record for the State of Haryana with Shri Anil Dabas, DTP Haryana and Pawan Gupta J.E.

Shri Keshav Hegde Advocate for Durga Builders Plot Booking Holders Forum

Shri Ramashankar with Mr Shivam Garg, Advocates for JK Kalra & Ors

Shri Rajat Agnihotri and Mrs Suman Lata Katiyar, Advocates for Usha Khattar & Ors

1. Joint survey is reported to have been carried out. However, details of occupants and entitlement in hands of each occupier, over the licensed land in Phase I and Phase II could not be verified. Direction is sought in that regard. With consent of parties it is agreed that the verification process will be undertaken on mutually agreed date between the officers of Haryana Government/DTCP and that of the Durga Builders Private Limited.

An apprehension is raised with regard to law and order situation at the time of undertaking verification process. I direct Deputy Commissioner Police, Faridabad to provide 15 policemen to the team undertaking verification process. It is made clear that the said number of policemen would be in addition to the private guards already deployed by Haryana Government/DTCP.

2. An application is moved by the Builder, seeking certain information from the Haryana Government/DTCP.

Application was deliberated upon and it is directed that Haryana Government/DTCP to provide the Builder, the following information:

- i. List of permissions granted by Authority in terms of Section 7A of HUDA Act in tabulated format indicating therein the date seeking permission, date of grant of

permission, name of purchaser in whose favour permission was granted, area of property (for which permission was sought).

- ii. Complete detail of payments made by plot holders, in terms of order passed by Hon'ble Supreme Court dated 07.04.1997 and 02.12.1999 in the format indicating name of plot holder, amount paid, date of payment, area claimed.
- iii. Complete details of money lying with the Government/department in respect of the licensed land.
- iv. Information as to whether amounts are spent on external development of the colony, if yes, how much? If no amount is spent, the estimate of such amount, which is likely to be spent towards external development.
- v. Whether any police complaint/letter etc. was written by the department to the office of Sub-Registrar/District Collector/Revenue Authority, in order to preserve licensed land?

In addition to above, it is directed that Haryana Government/DTCP to provide complete detail of persons 1400 (approximately), to whom Show Cause Notice(s) were issued.

Further, Dr. Monika Gusain on instructions from the officer of Department has agreed to call Builder to carry out inspection of original records available with the Department. Date and time for the said purpose be mutually decided between the officers / lawyers.

3. A request has been made by the Builder and Haryana Government/DTCP to give a date after 8 weeks, but in order to monitor the entire process matter would be listed after 4 weeks.
4. Shri Rahul Malhotra, Advocate on behalf of Durga General Plot Holders Welfare Association submits that they will be providing the details of the members of their association within eight weeks. The said Association is directed to submit the details within eight weeks.
5. The Tribunal will next assemble on 09.07.2016 at 11 am.

Justice Vikramajit Sen  
(Retd) Sole Arbitrator  
appointed by the Hon'ble Supreme  
Court of India