

JUSTICE VIKRAMAJIT SEN

Former Judge of the Supreme Court of India

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PROCEDURAL ORDER NO. 9 DATED 08-10-2016

Okhla Enclave Plot Holders Welfare Association & Ors. Petitioners

Versus

Union of India & Ors. Respondents

Present:

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

P. Narasimhan, Advocate and Shri Kishori Lal Office Bearer of 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 and Shri. Soumyajit Pani, Advocates for JK Kalra & Ors.

Dr. Monika Gusain, Advocate on Record for the State of Haryana

Shri. Pawan Gupta J.E. and Shri. Yogender Pal, J.E. of DTP, FBD.

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

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

1. It has been submitted by Mr. Piyush Sharma that the documents to be submitted as per order dated 03-09-2016 have been prepared and are ready for submission and the same was also conveyed to DTCP on 03-09-2016. Mr. Sharma has

requested the DTCP to fix up a date for submitting the said documents. It has been decided by the Tribunal that the said documents will be filed with the DTCP within a period of seven days.

2. It was further submitted by Mr. Sharma that on 25-11-1998, Durga Builders had submitted a list of the allottees to the DTCP, out of which 271 allottees have submitted their documents except for those allottees/Petitioners that had approached the Supreme Court.
3. It has been submitted by Mr. Sharma that on 16-09-2016, total 1350 allottees have submitted their documents to DTCP.
4. Mr. Keshav Hegde, Counsel for Durga Builders Plot Booking Holders Forum have filed similar claim for Plots before the Consumer Court and therefore the claims of the members of the Durga Builders Plot Booking Holders Forum for Plots cannot be discussed before this Tribunal to avoid multiplicity.
5. It has further been submitted by Shri. Vikrant Yadav that in total 12 documents were to be submitted out of which 11 have been submitted to DTCP as per the given Performa and the remaining (one) has been submitted to DTCP on 08-10-2016.
6. It has been submitted by the Okhla Enclave Plot Owners Welfare Association that all the documents would be filed with the DTCP within a period of seven days. Further, Durga Builders Plot Holders Welfare Association, Durga Builders Plot Booking Holders Forum and Shri Vikrant Yadav have already submitted the said documents.
7. Further, it has been recently informed by DTCP that 61 cases regarding the issue of allotment are currently pending in various District Courts of Delhi- NCR. The Tribunal directs the Builder to prosecute these cases with due diligence.
8. It has been mutually decided that the advocates for the respective parties will hold a meeting on 10-10-2016 at 10 AM and a survey would be held on 13-10-2016 at 10.00 am for which two people will be appointed.

9. It has further been directed that a report of the above mentioned survey has to be circulated by 19-11-2016 and should be presented before the Tribunal on 26-11-2016.
10. The Tribunal further directs the Senior Town Planner, Faridabad to provide all the documents/representations received by them alongwith the details of the development charges deposited by the claimants with the department to the Builder at his expense, prior to the commencement of the process of scrutiny by the Committee..
11. The Senior Town Planner, Faridabad is required to inform the District Collector, Faridabad about the present proceedings and the Orders passed through email at- dcfbd@hry.nic.in.
12. This Tribunal directs the Deputy Commissioner, Faridabad to present before this Tribunal the complete details of the Land Records, Sale deeds, Mutations etc. for the entire 234 acres. In this regard a letter to Deputy Commissioner, Faridabad a communication/letter is being mailed on his email id dcfbd@hry.nic.in.
13. The Tribunal will next assemble on 26-11-2016 at 2.00 pm.

Justice (Retd.) Vikramajit Sen