



2026:DHC:5692



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 13th July, 2026**+ **CONT.CAS(C) 145/2026 & CM APPL. 24097/2026****BALDEV RAJ (SINCE DECEASED) THROUGH LR****SMT.VEENA****.....Petitioner**Through: **Ms. Ujala Vishnoi and Mr. Randeep Singh, Advocate****versus****N SARVANA KUMAR****.....Respondent**Through: **Ms. Vrinda Kapoor, Ms. Saumya Soni and Mr. Vishal Vaid, Advs. for DDA****Ms. Shobhana Takiar, Adv. for DDA****Ms. Avni Singh, PC with Mr.****Vaibhav Sharma, Adv. for GNCTD****CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J (ORAL):**

1. The present petition has been filed alleging wilful disobedience of the judgment dated 18th March, 2025, passed in *W.P.(C) 4972/2018*. The relevant portions of the said judgment, are reproduced as under:

“xxx xxx xxx

13. The Respondent/GNCTD is directed to take appropriate steps in accordance with law within four weeks to prepare a certificate that the Petitioner is a part of the policy of Housing Scheme for Rehabilitation of



Punjab Migrants (HSRPM) Scheme.

14. Subsequently, the Respondent/DDA shall take steps as expeditiously as possible, given the fact that the Petitioner has been waiting for this allotment for almost 30 years, not later than 4 months from the date the recommendation is communicated by Respondent/GNCTD.

15. The Petition is disposed of in the foregoing terms.

15.1 However, given the fact that the Petitioner has been litigating for more than 10 years to obtain relief, this Court deems it apposite to impose costs on Respondent No.1 payable to the Petitioner.

16. Accordingly, the Respondent/GNCTD shall make payment of costs in the sum of Rs.25,000/- directly to the Petitioner.

xxx xxx xxx”

2. The aforesaid judgment was subsequently challenged by way of the appeal being *LPA 489/2025* before the Division Bench, which was disposed of *vide* judgment dated 31st July, 2025, in the following manner:

“xxx xxx xxx

10. In view of the said documents as well as the undeniable fact that respondent no.1 was indeed a Punjab migrant at the relevant point in time, we do not see any reason to interfere with the reasoning of the learned Single Judge in the impugned judgement dated 18.03.2025. Consequently, the present appeal fails and is thus dismissed.

11. We are informed that respondent no.1 has filed a contempt petition alleging willful violation of the directions contained in the impugned judgement against the appellant. Having regard to the overall circumstances of the case, we grant no more than 4 weeks time to the appellant as well as respondent no.2/DDA to comply with the directions in the impugned judgement.

xxx xxx xxx”

3. Perusal of the aforesaid orders dated 18th March, 2025 and 31st July, 2025 clearly bring forth that the petitioner herein was recognized as a Punjab migrant at the relevant point of time and the petitioner was considered entitled for allotment of a flat in terms of the policy of Housing



Scheme for Rehabilitation of Punjab Migrants (“HSRPM”).

4. This Court notes that a Compliance Affidavit dated 08th April, 2026 has been filed on behalf of the Delhi Development Authority (“DDA”), wherein, it is indicated as follows:

“xxx xxx xxx

4. That it submitted without prejudice that pursuant to the directions of this Hon’ble Court and upon due consideration of the matter, the Competent Authority took a conscious and reasoned decision to allot an LIG flat at Narela, Delhi to the Petitioner.

5. That in furtherance of the aforesaid decision, the Petitioner, namely Late Sh. Baldev Raj (through his legal representative Smt. Veena), was duly informed *vide* letter dated 23.01.2026. By way of the said communication, the Petitioner was specifically called upon to submit requisite documents, including self-attested copies of documents submitted before the SDM, Punjabi Bagh, along with supporting documents issued by the Government of Punjab and valid identity and address proofs such as Aadhaar Card, Voter ID Card, PAN Card and latest electricity bill, so as to enable processing and finalization of the allotment.

**[COPY OF THE LETTER DATED 23.01.2026 IS ANNEXED
HEREWITH AND MARKED AS ANNEXURE R-1]**

6. That despite the aforesaid categorical communication, the Petitioner failed to respond or furnish the requisite documents. Nevertheless, and in order to ensure complete compliance and avoid any procedural delay, the answering Respondent, acting *bonafide*, issued a further reminder dated 16.02.2026 reiterating the requirement of submission of the said documents.

**[COPY OF THE LETTER DATED 16.02.2026 IS ANNEXED
HEREWITH AND MARKED AS ANNEXURE R-2]**

7. That it is submitted that the Respondent has discharged all obligations required for compliance of the orders of this Hon’ble Court. The



further processing of the allotment is entirely dependent upon submission of requisite documents by the Petitioner, which remains pending despite repeated opportunities.

8. That it is respectfully submitted that the Petitioner cannot be permitted to take advantage of his own inaction and attribute any alleged non-compliance to the Respondent. The delay, if any, in culmination of the allotment process is solely attributable to the failure of the Petitioner to furnish the requisite documents.

9. That in view of the aforesaid facts and circumstances, it is submitted that the Respondent has fully and substantially complied with the orders dated 18.03.2025 and 31.07.2025 passed by this Hon'ble Court. The decision of allotment has already been taken and duly communicated to the Petitioner. There is neither any wilful disobedience nor any deliberate non-compliance on the part of the Respondent.

xxx xxx xxx”

5. It is to be noted that as per the aforesaid compliance affidavit, Lower Income Group (“LIG”) flat at Narela has been decided to be allotted to the petitioner.

6. However, learned counsel appearing for the petitioner submits that only an LIG flat is sought to be allotted to the petitioner. As per the case put forth by the petitioner, under the policy of HSRPM, the petitioner is eligible for allotment of an expendable flat. In this regard, she relies upon paragraph 2 of the policy of HSRPM, which reads as under:

“xxx xxx xxx

2. फ्लैटों का विवरण
Flats Details

लगभग 3276 निर्मित/निर्माणाधीन एक कमरे के फ्लैटों का (जिसमें एक किचन/किचनेट और एक शौचालय-सह-रनानागार होंगे) जो बिन्दापुर, और नरेला में होंगे, आबंटन किया जाएगा।
About 3276 built up flats containing one room, Expendable Housing sets (a kitchen / kitchenette & toilet-cum-bathroom) are on offer for allotment in Bindapur, & Narela.

xxx xxx xxx”



7. Learned counsel appearing for the petitioner further submits that the petitioner does not accept the flat allotted by DDA.
8. This Court is of the view that the aforesaid submission made on behalf of the petitioner is without any merit. The DDA has already taken a decision to allot a flat to the petitioner herein. Rather, the petitioner has not complied with the directions of the DDA, and has not submitted the requisite documents for completion of formalities for allotment of flat.
9. This Court also takes note of the submission made by Ms. Shobhana Takiar, Advocate who appears on behalf of the DDA, that the flat in question, which is sought to be allotted to the petitioner, is as per the policy of HSRPM.
10. Accordingly, as per the facts on record, it is seen that the DDA has complied with the orders passed by this Court.
11. The petitioner is directed to comply with the directions issued by the DDA and deposit the requisite documents for the purpose of allotment of flat to her.
12. However, in case, the petitioner is aggrieved by the decision of the DDA for allotment of the flat in question to her and considers the said allotment to be not in terms of the policy of HSRPM, the petitioner is at liberty to seek remedies in accordance with law.
13. Noting the aforesaid, the present petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

JULY 13, 2026/KR