

**GOVERNMENT OF INDIA
URBAN DEVELOPMENT AND POVERTY ALLEVIATION
LOK SABHA**

UNSTARRED QUESTION NO:3054
ANSWERED ON:23.12.2003
EXPANDABLE HOUSING SCHEME, 1996
RAMESH CHAND TOMAR

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) whether the Delhi High Court has given its judgement regarding the case filed by allottees of Rohini area against exorbitant cost of flats/lack of basic amenities under the Expandable Housing Scheme, 1996 of DDA;
- (b) if so, the details thereof;
- (c) if not, the reasons therefor indicating the present status of the case;
- (d) the details of compensation/refund to be paid by DDA to these allottees as ordered by High Court especially to those who have paid full cost of flats under the cash down option;
- (e) whether all the allottees under the said scheme are likely to be benefited by the High Court judgement; and
- (f) if not, the detailed reasons therefor in view of the fact that allottees of Rohini area whose names do not appear in the above case are also the sufferers of excessive cost of flats/lack of basic amenities?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI BANDARU DATTATRAYA)

(a)to(f): Though the title of the case or the details of the writ petition have not been indicated, the Delhi Development Authority (DDA) has reported that a number of persons, who had applied for allotment of flats under Expandable Housing Scheme, 1996 and were declared successful in the draw held on 21.3.1997, had filed Civil Writ Petitions (CWP) in Delhi High Court for seeking mandamus to the DDA to charge as per the rate given in the brochure and not the increased rates as demanded in the demand-cum-allotment letters, etc. The Delhi High Court has delivered its judgement in CWP Nos.2142/99, 2143/99 and 2733/99 on 27.11.2003. The Court ordered that the `Writ Petitions have no merit in so far as challenge to the revision in disposal cost is concerned and the same fails. The Writ Petitions are disposed of with the directions that the petitioners shall pay interest @ 12% p.a. on 50% of the amount from the date of allotment-cum-demand and at 100% of the amount from the date the amenities were made available. In the alternative, the petitioners could also opt within a period of 45 days for payment on the basis of current cost and to avail of the said offer`.

Further action is dependent on working out implications and legal scrutiny of the judgement by the DDA.