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% 23.09.2010

Present:- Ms. Richa Kapoor with Ms. Alpana Pandey for the petitioners.
Mr. R. Veena for counsel for the respondent DDA in W.P.(C.) Nos. 1104/2010.
Ms. Rajdipa Behura for the respondent DDA in W.P.(C) No. 8012/2008.
Ms. Manisha Tyagi for the respondent DDA in W.P.(C) Nos. 7122/2009, 7476/2009, 9059/2009, 9160/2009 & 9161/2009.
Ms. Madhumita Bhattacharjee for the respondent DDA in W.P.(C) No. 8154/2008.
Ms. Manika Tripathy Pandey for the respondent DDA in W.P.(C) No. 374/2009.
Mr. Rakesh Mittal for the respondent DDA in W.P.(C) No. 7162/2009.
Mr. Mohit Verma for the respondent DDA in W.P.(C) Nos. 10351/2009 & 10354/2009.
Ms. Beenashaw Soni for the respondent DDA in W.P.(C) No. 11175/2009.
Ms. Sangeeta Chandra for the respondent DDA in W.P.(C) Nos. 7416/2008, 11786/2009, 11790/2009 & 11796/2009.

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With the consent of counsel for all the parties, all these 19 petitions are proposed to be disposed of by this common order.

On the last date, Mr. Rajiv Bansal learned counsel appearing on behalf of the respondent DDA had got the matter adjourned for today stating that he had instructions from the Commissioner (Housing), DDA that the DDA was contemplating to withdraw its

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policy of 14.08.2008 which is under challenge in these petitions and to bring the Awaas Sarkar Yojana (ASY) cases in line with the judgment of this Court in Surender Kumar Mehta's case in W.P.(C) No.19095/2004.

Ms. Sangeeta Chandra learned counsel appearing on behalf of the respondent DDA has placed on record xerox copy of a draft circular of September, 2010 in terms whereof the DDA has agreed not to charge 7% interest as is being charged in these cases in light of its Policy contained in the circular dated 14.08.2008. Learned counsel appearing on behalf of the respondent DDA says that she has instructions to state that the Policy under challenge in these petitions dated 14.08.2008 has been withdrawn by the DDA and the DDA shall raise revised demand upon the petitioners in these cases excluding the component of 7% interest.

Ms. Richa Kapoor learned counsel appearing on behalf of the petitioners in these cases submits that since the respondent DDA has withdrawn its policy of charging of 7% interest contained in its circular dated 14.08.2008 and has agreed to raise revised demand upon the petitioners, she has instructions not to press these petitions for any further relief.

In view of the foregoing, these petitions are finally disposed of. The impugned demands in these petitions are quashed. Directions

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are given to the respondent DDA to make revised demand on the petitioners after excluding component of 7% interest for which decision has been taken in the meeting of the High Level Committee held in the DDA on 10.06.2010. The revised demand be made by the DDA on the petitioners as expeditiously as possible but not later than three months from today. Needless to say that all misc. applications that are pending in these cases stand disposed of as rendered infructuous.

A copy of this order be kept in the files of all the 19 petitions which have been disposed of by this common order.

SEPTEMBER 23, 2010
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S.N. Aggarwal
S.N.AGGARWAL, J.