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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 13644/2009

**RISHI AUROBINDO EDUCATIONAL SOCIETY(REGD)**

..... Petitioner

Through Mr. Ravinder Sethi, Sr. Advocate  
with Mr. Rajiv Kr. Ghawana,  
Advocate.

Versus

**DELHI DEVELOPMENT AUTHORITY AND ANR**

..... Respondents

Through Mr. Atul Batra, Mr. B.V. Niren, Mr.  
Sumit Jidani, Advocates for R.2  
Mr. Rakesh Mittal, Advocate for  
DDA.

+ W.P.(C) 2823/2010

**KANTA DEVI CHARITABLE AND EDUCATIONAL SOCIETY**

..... Petitioner

Through Mr. Vikram Saini, Advocate.

versus

**DDA AND ORS.**

..... Respondents

Through Mr. Ajay Verma, Advocate.  
Mr. Neeraj Chaudhari, CGSC for R.3

**CORAM:**

**HON'BLE THE ACTING CHIEF JUSTICE**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

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**ORDER**  
**27.08.2012**

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CM APPL. 10633/2012 & W.P.(C) 13644/2009.  
CM APPL. 10625/2012 & W.P.(C) 2823/2010

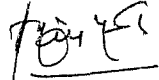
1. In the applications filed by the petitioners it is stated that now a Notification dated 17.7.2012 has been issued by the DDA in exercise of powers conferred under Section 57 of the Delhi Development Act, 1957 and as per this Notification no additional FAR charges are to be recovered from Educational Society/Health Care and Social Welfare Societies etc. having Income-Tax exemption. It is also pointed out that following this Notification, a Division Bench of this Court has passed order dated 20.7.2012 in a batch of Writ Petitions with the main Writ Petition being WP(C) 9572/2009 titled *South Delhi Educational Society Vs. DDA and Anr.* inter alia holding as under:-

“In view of the fact that now no FAR charges are to be recovered from Educational Societies/Health care and Social Welfare Societies having income tax exemption, any action which may have been made conditional on the payment of the additional FAR charges would now not have the said condition. In other words, the non-payment of the FAR charges will not come in the way of the petitioners to proceed with their release of sanctioned building plans, occupancy certificates, extension of time and NOCs etc. if the other conditions prescribed in law are fulfilled.”

2. Learned Counsel for the respondent could not dispute that the facts of this case are identical to the aforesaid cases and the Notification dated 17.7.2012 shall be applicable in the case of the petitioners as well.

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3. In these circumstances, these writ petitions also are disposed of with the same directions as given in order dated 20.7.2012, as extracted above. These directions be complied within two months from today.

4. During the pendency of the writ petition, there was direction to deposit certain amount. The same shall be released back to the petitioner.

  
ACTING CHIEF JUSTICE

RAJIV SAHAI ENDLAW, J

AUGUST 27, 2012  
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*fresh*  
- C.M.No. - 16532/12 - modification/clarification of order  
dt: 27-8-12.

- Petition disposed of on 20-7-12.