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

+ **W.P.(C) 8408/2014 & CM No. 19451/2014**

ASHISH MAKKAR & ORS

..... Petitioners

Through: Mr Sudhir Nandrajog, Sr. Adv. with Mr
Syed Ahmed Saud & Mr Milan Laskar, Adv.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through: Ms Chanchal Kumar, Adv. for R-1.
Mr Sanjeev Sen, Sr. Adv. with Mr G.D. Mishra,
Standing Counsel for R-2.
Mr Dev P. Bhardwaj, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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23.04.2015

1. Report of the registry is that, service qua respondent no.4 is awaited. Mr Nandrajog, learned senior counsel for the petitioner, on instructions, seeks to delete respondent no.4 from the array of parties. It is ordered accordingly.

2. The prayers made in the petition are as follows:

“....i. Direct the respondent no.3 to issue a corrigendum or clarification notification clarifying that notification dated 05.9.06, excludes GHBS and not the CHBS.

ii. Direct the respondent no.2 to de-seal the properties bearing No. A-1 go A-16 Priya Darshni Vihar, Main Patpar Ganj Road, Delhi and permit Petitioners to carry out their commercial activities.

3. I am informed by counsels for respondent no. 1 and 2, that the case made out by the petitioners has to be sustained, as inadvertently, a mistake crept in the notification dated 15.09.2006. Learned counsel for the respondents say that the mistake occurred in the following underlined part of the notification issued, which, for the sake of convenience is extracted hereinbelow:

4. Learned counsels for respondent no. 1 and 2 are agreed that instead of **CHBS**, the word **GHBS** should stand substituted. This aspect has been clearly accepted in paragraph 9 of the affidavit dated 21.02.2015 filed on behalf of respondent no.2. Counsel for respondent no.2 also bears this fact.

6. Accordingly, the writ petition is allowed in terms of the prayers made. Respondent no.1 will issue the necessary corrigendum qua the notification dated 15.09.2006, based on the stand taken by respondent no.2 in this court, and the order of this court, as expeditiously as possible, though not later than two weeks from today.

6.1 Respondent no.2 shall de-seal all those properties which continue to remain sealed with due expedition, though not later than three days from today, and furthermore, will permit the petitioners to use the subject properties in terms of the amended notification.

7. The writ petition is, accordingly, disposed of.

RAJIV SHAKDHER, J

APRIL 23, 2015

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