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

Reserved on: 09.09.2015

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Pronounced on: 17.09.2015

+ W.P.(C) 7982/2015

VED PAL

..... Petitioner

Through Mr.Vineet Malhotra, Mr.Vishal
Gohri, Mr.Shubhendu Kaushik and Mr.Rishipal,
Advocates

versus

GOVT. OF NCT OF DELHI & ANR

..... Respondent

Through Mr.Satyakam, Additional Standing
Counsel for R-1
Mr.Jatan Singh, Advocate for R-2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

JAYANT NATH, J.

1. This is a public interest litigation is filed by the petitioner seeking a writ/direction directing the respondents to rename the Metro Station Arjan Garh to Aya Nagar Station.

2. It is the contention of the petitioner that the concerned Metro Station of Arjan Garh has been established within the revenue estate of Aya Nagar. The station has been built on land, which prior to acquisition fell in the area of Aya Nagar. It is urged that the station caters mostly to residents of Aya Nagar. There are no residents in the area of Arjan Garh

which is essentially an Air Force Station. The wrong name of the station it is urged has caused discomfort and trouble to commuters who wish to travel to Aya Nagar. Needless confusion and inconvenience is being created due to the wrong naming. To buttress the submission that a change of name is warranted, the petitioners have filed photographs of signage which stress on Aya Nagar and have relied upon the name of the bus terminal known as Aya Nagar Bus Terminal.

3. Reliance is also placed on an RTI query that was made in 2010. In response to the query respondent No.2 Delhi Metro Rail Corporation Limited on 12.5.2010 had stated that the cost for changing the name of one station would involve approximate expenditure of Rs.2,48,000/-.

4. Reliance is also placed on the minutes of a meeting held on 03.12.2010 in the Transport Department, Government of NCT of Delhi to discuss naming/renaming of Metro Stations. The minutes record that the cost implication of renaming a station like Arjan Garh where 52 trains are running, would be around Rs.5 to 6 crores. The Minutes also record that the representative of respondent No.2 requested that the Government be apprised of the cost involved and if the Government still decides to go ahead and money is made available, respondent No.2 would take necessary action.

5. The petitioner has filed copies of various other minutes placed on record regarding renaming of stations and various representations sent to show that thereafter there has been no development with regard to the issue of change of name of the said station.

6. On 21.08.2015 when the matter came up for hearing we had adjourned the matter to enable counsel for the respondent to get

instructions with regard to the further steps taken pursuant to minutes of the meeting held on 3.12.2010. On 9.9.2015 when the matter was heard Shri Satyakam, learned Additional Standing Counsel appearing for Government of NCT of Delhi has placed before this Court Minutes of meeting dated 8.5.2015 regarding change of name of various Metro Stations. These Minutes were taken on record.

7. We have heard learned counsel for the parties and perused the record.

8. Learned counsel for the petitioner has strenuously urged that the naming of the Metro Station in question as Arjan Garh is a complete non application of mind. The station falls within Aya Nagar and is used mostly by residents of Aya Nagar. It is urged that the residents are ready and willing to bear the costs involved in changing the name. It is also urged that earlier in 2010, respondent No.2 was demanding approximately only Rs.2.5 lacs as the cost of changing the name but today it is demanding Rs.5 to 6 crores. However, though the demand of respondent No.2 is grossly arbitrary and illegal and without any justification, the residents would be willing to bear the costs.

9. Learned counsel appearing for respondent No.1 relying on the minutes dated 8.5.2015 of the Committee constituted for naming/re-naming of Metro Station states that as per the said meeting the committee did not approve re-naming of Arjan Garh Station to Aya Nagar Metro Station. He, however, submits that the recommendation of the Committee are yet to be accepted by the Government of NCT of Delhi. Learned counsel for respondent No.2 submits that regarding the costs involved of changing the name, the present Station was non-operational

when the estimate of Rs.2.5 lacs was given. Since then the station is functional and the expenses have increased and that is why the current estimate for re-naming such a station is Rs.5 to 6 crores.

10. In our opinion, there is no public interest involved in the present writ petition. Admittedly, naming or re-naming of a station is an administrative act. It is not for this court to substitute the decision of the administrative authority with its decision; merely because it appears to be a better decision.

11. Reference may be had to the judgment of Supreme Court in the case of *Tata Cellular v. Union of India*, AIR 1996 SC 11 where in para 94 the Supreme Court held as follows:

“94. Therefore, it is not for the court to determine whether a particular policy or particular decision taken in the fulfillment of that policy is fair. It is only concerned with the manner in which those decisions have been taken. The extent of the duty to act fairly will vary from case to case, shortly put, the grounds upon which an administrative action is subject to control by judicial review can be classified as under :

- (i) Illegality: This means the decision-maker must understand correctly the law that regulates his decision-making power and must give effect to it.
- (ii) Irrationality, namely, Wednesbury unreasonableness,
- (iii) Procedural impropriety.”

12. Admittedly, in the present case the station is named as Arjan Garh Station on account of an Air Force Base known as Arjan Garh Air Force Base. The discretion exercised by the respondents to name the station after the Air Force Station cannot be termed to be grossly arbitrary or

irrational. There is no public interest involved.

13. The petition is dismissed.

(JAYANT NATH)
JUDGE

CHIEF JUSTICE

SEPTEMBER 17, 2015
n/dc