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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1631/2010 & C.M.No.3288/2010

THE DELHI FLOUR MILLS CO. LTD & ANR Petitioners

Through Mr.Sandeep Sethi, Sr.Advocate with
Mr.Akhil Sachar, Ms.Deepti Sarin
and Mr.Yashvardhan Bandi,
Advocates.

versus

THE GOVT OF NATIONAL CAPITAL TERRITORY OF DELHI &
ANR Respondents

Through Ms.Veena Ralli with Mr.Vinod
Kapoor, Advocate for R-2.
Ms.Renuka Arora, Advocate for R-
4/DSIIDC.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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12.02.2016

Present writ petition has been filed with the following prayers:-

(a) Issue a writ of certiorari quashing the impugned letter dated 25.2.2010 issued by the Respondent no.2, as being illegal, arbitrary and violative of Articles 14 and 19 (1) (g) of the Constitution of India; and

(b) Pass such other or further order or orders as this Hon'ble Court may deem fit in the facts and circumstances of the case.

In pursuance to the last order, petitioner no.2 has filed an affidavit on behalf of petitioner no.1/company. The relevant portion of the said affidavit reads as under:-

“5. I say that the petitioner no.1 company without prejudice

to its rights and contentions, more specifically the fact that the petitioner no.1 is a non-polluting industry and that the impugned letter dated 25.02.2010 deserves to be quashed and set aside, has relocated its Flour Mill to Plot No.86B, 86C, 86D, 86E, Sector – Ecotech-I, Extension-I, Greater Noida Industrial Development Area, Distt. Gautam Budha Nagar (U.P) in the month of August, 2015.

6. I say that as on date the petitioner no.1 company is not carrying on any manufacturing activity at its premises at 8377-8381, Roshanara Road, Delhi 110007 and steps are being taken by it to dispose off the plant & machineries installed at the said premises. Further, the petitioner company has already surrendered the Industrial Electricity Connection vide its Letter dated 6th January, 2016 addressed to the concerned department. Copy of the said Letter dated 6th January, 2016 is annexed and marked hereto as ANNEXURE-A.

7. I say that as the petitioner no.1 company has thus without prejudice to its rights and contentions relocated its Flour Mill to Plot No.86B, 86C, 86D, 86E, Sector – Ecotech – I, Extension – I, Greater Noida Industrial Development Area, Distt. Gautam Budha Nagar (U.P) in the month of August, 2015 which is outside the National Capital Territory of Delhi.”

Mr.Sandeep Sethi, learned senior counsel for the petitioners states that the petitioners shall use the premises in question in accordance with the master plan.

The statement made by Mr.Sandeep Sethi is accepted by this court and the petitioners are held bound by the same.

In view thereof, the present writ petition and the applications are disposed of.

MANMOHAN, J

FEBRUARY 12, 2016/KA