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

+ W.P.(C) 7106/2013 & CM APPL.15332-15333/2013, 5476/2015

CITIZENS ALLIANCE

..... Petitioner

Through: Mr J.P. Sengh, Senior Advocate with Mr Vivek
Sharma & Ms. Sonia Malik, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr Rajiv Bansal, Senior Standing Counsel with
Ms Rukhmini Bobde, Adv. for DDA
Mr Febin M Vaghese, Adv. for R-3
Mr D. Rajeshwar Rao & Mr Charanjeet Singh,
Advs. for R-4, R-8 & R-10
Mr Sumeet Pushkarna, Standing Counsel with
Mr Siddhartha Nagpal, Adv. & Mr Rizvi (Z.E.)
for R-9/DJB
ASI Mangal Ram, ZO Sangam Vihar
ASI Virender Singh, Traffic Police

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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13.07.2016

This Public Interest Litigation pertains to the proposed shopping mall which is to be set up at the Alaknanda Community Centre, New Delhi.

It is the case of the respondent No.11, who proposes to construct the mall, that all the requisite permissions are in place and the proposed mall is compliant with the Master Plan Delhi-2021.

Mr Bansal also appearing on behalf of the DDA submits that the construction of a shopping mall at a community centre, such as Alaknanda Community Centre, is within the parameters of MPD-2021 and, in particular, Chapter V thereof.

Mr Sengh, the learned senior counsel appearing on behalf of the petitioner, however, submitted that serious traffic congestion issues would arise if the mall is permitted to be set up at the community centre. He submits that a report has been

submitted by Engineering and Planning Consultants as part of the traffic plan prior to the sanctioning of the layout plan. He further submits that the very same consultant has said that in the report it was only considered to be a local shopping area with commercial offices and the construction of a mega mall was not in contemplation. He further submitted that if the mall is constructed, the entire parameters would change.

In order to obviate any further difficulty in this matter, we feel that it would be appropriate that a committee of the Commissioner (Planning) and the Commissioner (Land Disposal) of the DDA should examine this matter particularly taking into account the allegations of the petitioner as raised in the present petition. The said committee would take a final and definitive decision within eight weeks from today. The said committee may take the opinion of the traffic experts, including the officials of the Delhi Traffic Police and/or any other experts, if necessary.

The writ petition stands disposed of.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

JULY 13, 2016

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