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

+ W.P.(C) 7720/2016 & CM APPLs. 31874-31875/2016

M/S HORIZON INFRATEL & ORS Petitioners

Through Mr. Arun Monga with Mr. Anshu
Bhanot, Mr. Suryajyoti Singh and
Ms. Kudrat Sandhu, Advocates

versus

DELHI DEVELOPMENT AUTHORITY Respondent

Through Mr. Ajay Verma, Sr. Standing Counsel
for DDA.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

% 31.08.2016

Present writ petition has been filed challenging the decision taken by respondent-DDA to dispossess the petitioners and to seal the premises bearing No.E-2, Jhandewalan, E Scheme, New Delhi.

Keeping in view the categorical direction given by the Supreme Court in Civil Appeal No.3783/2016, this Court is not inclined to interfere in the present proceedings.

At this stage, learned counsel for petitioners state that some reasonable time should be given to the petitioners to hand over actual physical vacant possession of the premises in question.

In the opinion this Court, as the petitioners have been in settled possession since long and as DDA had given a false sense of hope to the petitioners by asking for copies of the rent agreement and the amount of rent being paid to the erstwhile owners vide its letter dated 17th June, 2016, it would be appropriate to grant some

time to the petitioners to vacate the premises.

Though this Court in case of *To and Fro & Anr. Vs. Delhi Development Authority, W.P.(C) 7304/2016* granted time till 15th November, 2016 to vacate, yet in the present case this Court is not inclined to grant the same time. This Court may mention that in *To and Fro & Anr.* (supra) the primary contention advanced was that one of the petitioners therein was a Chartered Accountant who had to file income tax returns of his clients on or before 30th September, 2016 and needed some time thereafter to wind up his professional commitments. It was only on that basis that time was extended till 15th November, 2016.

At this stage, learned counsel for petitioners undertakes to this Court that the petitioners shall hand over physical vacant possession of the premises in question on or before 30th September, 2016.

Petitioners are directed to file affidavits of undertaking with the Registry of this Court within two weeks. In the event, the affidavits of undertaking are not filed by the petitioners, the DDA shall be at liberty to implement the order of the Supreme Court forthwith.

With the aforesaid observation and direction, present writ petition and applications are disposed of.

Order dasti under signature of Court Master.

MANMOHAN, J

AUGUST 31, 2016
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