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

+ W.P.(C) No.5740/2015 & CM No.10324/2015 (for stay).

JOR BAGH ASSOCIATION

..... Petitioner

Through: Mr. Saurabh Seth and Mr.
Muhammand Umar Khan, Advs.

Versus

NEW DELHI MUNICIPAL COUNCIL & ANR Respondents

Through: Ms. Sakshi Popli, ASC with Mr.
Jitendra Kr. Tripathi, Advs. for
NDMC.

Mr. Rajesh Das with Mr. Anuj
Aggarwal, Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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16.05.2016

1. This order is in continuation of the earlier order dated 8th March, 2016.
2. The counsel for the respondent no.1 New Delhi Municipal Council (NDMC) in pursuance thereto states that there is no proposal for changing the classification of Jor Bagh Market to a local shopping centre.
3. As far as the other aspect is concerned, the counsel for the respondent no.1 NDMC states that (i) there is no restriction in the Master Plan - 2021 against use of residential flats above the shops in the Jor Bagh Market for commercial purposes; and (ii) the restriction in this regard was only in the lease of the land underneath the property and in accordance with the internal instructions issued by the respondent no.1 NDMC and which in turn are based on the guidelines of the respondent no.2 L&DO at the time of

transferring the management of the subject market to the respondent no.1 NDMC, upon payment of requisite conversion charges for converting the use of the first floor from residential to commercial, there is no restriction on use of the upper floors of the shops in the market for commercial purposes.

4. Binding the respondent no.1 NDMC to the aforesaid and in terms thereof the petition is disposed of.

No costs.

RAJIV SAHAI ENDLAW, J.

MAY 16, 2016

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