

\$~15

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

+ W.P.(C) 5827/2015 & CM Appl. 10513/2015

PUNEET CHAWLA & ANR. .... Petitioners  
Through: Mr. Sanjeev Narula, Adv.

versus

THE COMMISSIONER OF TRANSPORT-CUM-CHAIRMAN  
DELHI TRANSPORT INFRASTRUCTURE DEVELOPMENT  
CORPORATION & ORS. .... Respondents  
Through: Mr. Amiet Andlay, Adv. for R-2

**CORAM:**  
**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**

% **06.04.2016**

The present writ petition has been filed with the following prayers:-

- “a) issue a writ in the nature of Mandamus, or any other appropriate writ, order or direction quashing the order dated 26.05.2015 made by the Respondents rejecting the request/application of the Petitioners for change of name and transfer of license in the name of the Petitioners;*
- (b) direct the Respondents to change the name of the license holder from “Radha Kishan Chawla”(deceased) to that of the petitioner No.1 in terms of the license agreement.*
- (c) pass such other or further order(s) as this Court may deem fit and proper in the facts and circumstances of present case.”*

At the outset, learned counsel for petitioner confines his relief in the petition to grant of permission to use/occupy Shop No. 2 at Platform

No. BC on the newly constructed temporary ISBT at Sarai Kale Khan, Delhi till the time respondents issue notices inviting tenders in respect thereof. He refers to the order dated 07<sup>th</sup> December, 2015 passed in a batch of writ petitions including W.P.(C) 11333/2015, which were disposed of while granting time to the petitioners therein, who are similarly situated as the petitioner herein, to vacate the shops/kiosks occupied by them.

Learned counsel for petitioner undertakes to this Court that the petitioner shall remove himself from the entire shop/kiosk in his use and occupation on or before the date the notice is issued and would continue to pay the occupation charges.

Consequently, present writ petition and application are disposed of in accordance with the following directions:-

- (i) The petition is dismissed as withdrawn.
- (ii) However the petitioner is granted time, to vacate the shop/kiosk in his occupation till the tenders are issued.
- (iii) If the petitioner is in breach of his undertaking or any part thereof, the tender or application for allotment if any filed by him shall not be considered and he would be ineligible on this ground alone.
- (iv) If the petitioner is in breach of his undertaking or any part thereof, the respondents, besides proceeding against him for contempt of undertaking given to the Court, shall be entitled to forcibly remove him from the shop/kiosk.

Order *dasti*.

**MANMOHAN, J**

**APRIL 06, 2016**  
**NG**