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

+ W.P.(C) 2089/2014 & CM No.4352/2014

JAIN SAMAJ DELHI (REGD.)

..... Petitioner

Through: Ms Mallika Parmar, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS

..... Respondents

Through: Mr Naushad Ahmed Khan, ASC,
GNCTD with Mr R. Naudiyal,
Advocate for GNCTD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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27.10.2017

1. The petitioner has filed the present petition, *inter alia*, impugning a communication dated 12.03.2014 issued by respondent no.3 (Director, Animal Husbandry Department, Government of NCT of Delhi) calling upon the petitioner to handover the premises, which was earlier licensed to the petitioner for running a *Goushala*. The said communication is set out below:-

“I have been directed to inform that due to consistent poor performance and high mortality in Manav Gausadan the License Deed in respect of Manav Gosadan at Rewla Khanpur stand discontinued w.e.f. 01.04.2014.

You are hereby directed to hand over the said premises as per the clause 26 & 28 of the License Deed to the Development Commissioner or his representative authorized by him on his behalf.

All the animals currently housed at Manav Gosadan at Rewla Khanpur may be deported to Dabar Hare Krishna Gaushala, Surhera before 01.04.2014. A report of the same may be submitted to the undersigned.

This issues with the approval of the competent authority vide U.O.No.16699 dt. 23.01.2014”

2. It is apparent from the above that the decision to cancel the Licence with effect from 01.04.2014 was taken on account of consistent poor performance and high mortality.
3. The petitioner contests the aforesaid allegation.
4. Pursuant to the orders passed from this Court the *goushala* in question was inspected. The learned counsel appearing for the respondents states that the inspection reports will now be placed before the Lieutenant Governor, Delhi for appropriate orders.
5. In view of the above statement, no further orders are required to be passed in this petition except to direct the Lieutenant Governor, NCT of Delhi to take an appropriate decision after affording the petitioner an opportunity to be heard. It is so directed. Copies of the inspection reports be also furnished to the petitioner.
6. The order dated 12.03.2014 impugned in the present petition would be subject to the final order that may be passed by the Lieutenant Governor and will not be given effect till such final order is passed.
7. The petition is disposed of with the aforesaid directions.
8. Order *dasti*.

VIBHU BAKHRU, J

OCTOBER 27, 2017/MK