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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5500/2016 & C.M. No.22921/2016**

TARANJEET SAPRA

..... Petitioner
Through Mr.Anand Mishra, Mr Hemant
Kumar, Advocates.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR

..... Respondents
Through Mr.Sanjay Poddar, Sr. Adv. with Mr.
Mukesh Gupta, Mr.Govind Kumar,
Mr. Pranay Jain and Mr. Sachin
Gupta, Advocates for SDMC.
Mr.Ajjay Aroraa, Mr. Kapil Dutta,
Ms.Diksha Lal, Advocates for North
DMC.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **14.02.2017**

Petitioner before this Court is Ms.Taranjeet Sapra. The prayer in the present petition seeks a quashing of the communication dated 20.5.2016 vide which withdrawal/cancellation order qua advertisement through wall wrap had been conveyed to the petitioner.

This Court notes that this petition has been filed through counsel Mr.Anand Mishra. He had several matters listed before this Court and at the first call qua the other matters he had sought a pass over stating that the connected petitions be taken up together; this was just about five minutes before the present matter was called. When

the present matter was called he did not appear. The Court kept the matter pending for 20 minutes. The submission addressed on behalf of the respondent before passing the order is reproduced herein as under.

Counter affidavit of the respondent is clear. The stand of the Department is that the petitioner has violated all the terms and conditions of the OAP of 2007; although he had earlier been granted permission to display his wall wrap but he had not complied with the requirements of the same. Not only had he increased the height of the signage but he had also started displaying two advertisements. The size of the wall wrap had also been enlarged. The photographs filed along with the counter affidavit by the respondent substantiate this stand of the respondent. Contention of the respondent is that it was it was in these circumstances that the withdrawal of the permission granted to the petitioner had been passed; the inspection of the site had revealed these deviations and the order dated 20.5.2016 was passed after giving a due show cause notice to the petitioner. This Court notes the contents of the order dated 20.5.2016. The stand of the respondent and the photographs annexed thereto show that the conditions of OAP 2007 have been violated. A show cause notice had also been given to the petitioner. His reply dated 09.4.2016 had been considered. The Department not being satisfied with this reply had accordingly withdrawn this permission noting that since it is in violation of OAP 2007 the petitioner cannot be permitted to display his wall wrap.

This petition is thus clearly without any merit. Impugned order

does not call for any interference.

At this stage, counsel for petitioner has appeared and he has been apprised of the order of dismissal. Learned counsel for petitioner submits that he could not appear on the earlier calls as the brief has been taken away by his party. This half hearted submission has now been made. If the brief been taken away by the petitioner it was for the counsel to have informed the Court at the time when the matter was called.

On merits, the petitioner has nothing to say in the matter and this is clear from the averments in the petition and the stand of the Department. Petition dismissed.

INDERMEET KAUR, J

FEBRUARY 14, 2017
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