

\$~23.

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

+ LPA 427/2017

SHIV DUTT

..... Appellant

Through: Mr. Deepak Anand and Hemlata
Rawat, Adv.

versus

DELHI DEVELOPMENT AUTHORITY & ORS.

..... Respondent

Through: Ms. Mrinalini Sen and Ms. Kritika
Gupta for R-1

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

31.05.2017

%

C.M. No.21878/2017

Exemption allowed, subject to all just exceptions. The application stands disposed of.

LPA 427/2017

Issue notice. Counsel for respondent no.1 accepts notice. In view of the reliefs sought in the present appeal, it is not necessary to serve respondent nos.2 to 4.

The appellant has assailed the order dated 12.05.2017 passed by the learned Single Judge, whereby the learned Single Judge has disallowed C.M.

No.17945/2017 whereby the appellant had sought stay of draw of plots of South Dwarka Zone during the pendency of the writ petition. The application was dismissed by the learned Single Judge in view of the fact that on 07.08.2013, the court had already passed an interim order directing that the respondent shall not hand over possession of the plots in question to the allottees under the draw held on 06.05.2013 and, consequently, the interest of the appellant was adequately protected.

The submission of learned counsel for the appellant is that in case any further allotments are made by the respondent/ DDA, the rights would accrue in favour of the allottees to the prejudice of the appellant.

Having heard learned counsel for the appellant and the respondent, we direct that in case any allotments are made, it shall be specifically mentioned therein that the same are subject to orders in W.P. (C) No. 3040/2013. The earlier interim orders passed in the aforesaid writ petition shall continue to operate.

The appeal stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

DEEPA SHARMA, J

MAY 31, 2017

sr