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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 10104/2016 & CM APPL. 40022/2016

DCM LIMITED

..... Petitioner

Through: Mr. Gaurav Mitra, Advocate with
Mr. Pratik Malik, Mr. Rudra Nath Sinha
and Ms. Rashmita Roy Chowdhury,
Advocates.

versus

DELHI DEVELOPMENT
AUTHORITY (DDA) & ANR

..... Respondents

Through: Ms. Isha Garg, Advocate for
Mr. Dhanesh Relan, Advocate for DDA.
Mr. Ajjay Aroraa, Advocate for MCD.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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06.01.2017

Present writ petition has been filed seeking a direction to the respondents to allow the petitioner to avail the benefit of Master Plan Delhi 2021.

Petitioner is a company which used to run a mill at Bara Hindu Rao, Kishan Ganj, Delhi. The mill was shifted in the year 1983 when respondent No.1 granted approval to the petitioner to re-develop the land into a Group Housing Complex and flatted factory.

However, the re-development and construction of the site could not be completed due to various litigations.

Vide office order dated 07th June, 2010, respondent No.2 provided for a policy for conversion of properties from industrial to commercial banquet hall subject to certain conditions.

On 26th April, 2011, petitioner made an application for conversion of the said premises. However, the same was rejected at that stage by the respondent No.2 vide letter dated 02nd September, 2011 as the matter was under consideration of the Monitoring Committee appointed by the Supreme Court.

In the present writ petition, it has been averred that the petitioner has made subsequent representations to the respondent-North DMC, but no decision has been taken till date.

In the opinion of this Court, since the North DMC is a statutory authority, the subsequent representations filed by the petitioner have to be decided by it in accordance with law.

As this Court finds that the petitioner's latest representation dated 22nd January, 2016 is a comprehensive representation, the same is directed to be decided by the Additional Commissioner (Engg.), North DMC, within a period of six weeks after giving an opportunity of hearing to the petitioner. The reasoned order shall be communicated to the petitioner by registered A.D. post.

If the petitioner is aggrieved by the decision of the North DMC, it shall at liberty to file appropriate proceedings in accordance with law.

With the aforesaid direction, present writ petition and application are disposed of.

Order dasti.

MANMOHAN, J

JANUARY 06, 2017

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