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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2375/2018, CM Nos. 9946-9947/2018**
C-BLOCK RESIDENTS WELFARE ASSOCIATION THROUGH:
ITS PRESIDENT GAURAV BAWA

..... Petitioner

Through: Mr. Neeraj Malhotra, Sr. Adv. with
Mr. Gautam Panjwani & Mr. Sumit
Batra, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondent

Through: Ms. Manika Tripathy Pandey, Adv.
with Mr. Sachin Nahar, Mr. Ashutosh
Kaushik & Ms. Raveena Tandon,
Advs. for R-1
Ms. Mini Pushkarna, SC for R-2 with
Ms. Anushruti, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **14.03.2018**

CM No. 9947/2018

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 2375/2018

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

*“In view of afore stated facts & circumstances, it is humbly
prayed that this Hon’ble Court may graciously be pleased to:-
a) Call for an explanation from the Respondent No.2 in
regard to the manner and basis on which the license is*

granted to the Respondent No.3;

b) Pass an appropriate writ, order or direction in the nature CERTIORARI thereby quashing/setting aside the grant of license vide bearing no. ADC/RP CELL/2018/D-556 dated 05.03.2018 in the favour of the Respondent No.3;

c) pass an appropriate writ, order or direction in the nature of CERTIORARI thereby quashing/setting aside the illegal, enormous parking fee fixed by the Respondents in connivance with each other;

d) an appropriate writ, order or direction interalia in the nature of CERTIORARI thereby directing the Respondent Nos.2 and 3 to ensure that there is commercial/non commercial / non residential cars are parked at the disputed parking lot/stretch;

pass any other order(s) as this Hon'ble Court deems fit and proper in the interest of justice."

2. Mr. Neeraj Malhotra, learned Senior Counsel has primarily made two submissions; (i) the action of the respondents allowing the commercial vehicles to be parked at the area in question would be a security risk to the Members of the petitioner's Association and (ii) the parking fee charged by the Contractor of ₹20/- for one hour per car or ₹ 1500/- monthly, is on a higher side. According to him, despite draft Rules being in place contemplating a consultation with the Residents Welfare Association, no such consultation has taken place. According to him, he would be satisfied if the respondent No.2 considers the present writ petition as a representation

on the aforesaid two points and pass a reasoned and speaking order but by giving a hearing to the representative of the petitioner's Association.

3. The submission made by Mr. Malhotra appears to be reasonable. Accordingly, the writ petition is disposed of directing respondent No.2 to consider the writ petition as a representation on the aforesaid two points by giving, the representative of the petitioner's Association a hearing on March 23, 2018 at 11 am. The hearing shall be given by the concerned Additional Commissioner, North Delhi Municipal Corporation, Karol Bagh Zone, New Delhi, who shall pass a reasoned order within two weeks thereafter.

Dasti.

CM No. 9946/2018

Dismissed as infructuous.

V. KAMESWAR RAO, J

MARCH 14, 2018/ak