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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1539/2019 & CM. Nos. 7112/2019 and 7914/2019**
SHIKSHA BHARTI EDUCATIONAL SOCIETY Petitioner
Through: Mr. R.K. Saini, Adv. with
Mr. Rajat Sang Sharma, Adv.

versus

SDMC & ORS. Respondents
Through: Mr. Sanjeev Sabharwal, Adv. for
SDMC with Mr. Hukum Singh, AE
(SDMC)
Mr. Arjun Pant, Adv. for DDA

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

ORDER
% **21.05.2019**

CM. No. 7112/2019

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 1539/2019 & CM. No. 7914/2019

1. The present petition has been filed by the petitioner with the following prayers;-

“It is, therefore, most respectfully prayed that this Hon’ble Court may kindly be pleased to:-

i) pass appropriate writ, direction or order to the respondents in the facts and circumstances of the case:

ii) direct the respondent no.1 and 2 to consider the application along with documents of the petitioner for the regularization of the institutional land into institutes category as per the master plan of the property bearing Shiksha Bharti Public School, Sector-7, Dwarka, New Delhi-77;

iii) Direct the respondent No.1 to issue the regularization certificate to the petitioner expeditiously;

iv) Direct the respondent No.3 to entertain the application for approval of the institute of higher studies on the basis of provisional list of respondent No.2 till the final disposal of regularization application by the respondent No.1;

v) Cost of the petition may also be awarded in favour of the petitioner and against the respondents;

vi) Any other or further relief or order which this Hon'ble Court may deem fit and proper also be passed in favour of the petitioner and against the respondent."

2. The only submission made by Mr. Saini is that the application for regularization made by the petitioner (at page 20 of the paper book) pursuant to notification dated May 01, 2008 (at page 19 of the paper book) be disposed of by the SDMC as expeditiously as possible. Mr. Saini has also drawn my attention to page 21 of the paper book to contend that the same is a list of applicants issued by the DDA, who have applied for regularization in terms of the Notification dated May 01, 2008.

3. The status report filed by the SDMC qua paras 7 and 8 reads as under:-

“7. That since the concerned Regularization File of premises known as Shiksha Bharti School, Palam, Sector-7, Dwarka, New Delhi is received only in the evening on 2/5/2019 in Building Deptt., Najafgarh Zone and thus its required some times for proper scrutiny of the file / case.

8. That in view of the above facts and circumstances submitted in the present case, it is most respectfully submitted that some more time may graciously be pleased to grant to the SDMC for proper scrutiny of the file / case, so that this Hon’ble Court may kindly be apprized accordingly.”

4. Mr. Sabharwal states that while deciding the application of the petitioner, certain clarifications need to be taken from the DDA. If that be so, the SDMC, while deciding the application can seek such clarification as deem fit from the DDA and the DDA shall forthwith give the clarification, if any sought by the SDMC. The SDMC shall pass appropriate orders on the application of the petitioner (page 20 of the paper book), as expeditiously as possible, within three months, as an outer limit. If the petitioner is still aggrieved, liberty is with the petitioner to seek such remedy as available in law.

5. Petition is disposed of.

CM. No. 7914/2019

Dismissed as infructuous.

V. KAMESWAR RAO, J

MAY 21, 2019/ak