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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2091/2019 & CM APPL No.9775/2019**
M/S MANOJ MOBILE WORLD

..... Petitioner

Through : Ms.Bandana Grover, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS.

..... Respondents

Through : Mr.Gaurang Kanth, Ms.Biji Rajesh
and Ms.Eshita Baruah, Advocates.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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07.03.2019

Petitioner has filed this writ with the following prayers:-

a) Issue order, direction or Writ in the nature of Certiorari or any other Writ, quashing the cancellation/termination order dated 06.02.2019 bearing No. AC/RPC/SDMC/2019/D-1056 passed by Respondent No.1 cancelling the allotment of parking site at Okhla Phase-I to the Petitioner in pursuance of NIT No.542 dated 28.08.2018 vide letter no.AC/RPC/SDMC/2018/D-798 dated 02.11.2018, and/ or;

b) Issue order, direction or Writ in the nature of Mandamus or any other Writ, directing the Respondent No.1 to restore the position of the Petitioner as 'Parking Contractor' in pursuance to the offer letter dated 18.10.2018 bearing no.AC/RPC/SDMC/2018/D-716 issued by Respondent No.1, and/or;

c) Issue order, direction or Writ in the nature of Mandamus or any other Writ, directing Respondent No.1 to restrain from awarding the tender inter alia NIT bearing no.RPC/SDMC/2019/d-1019 dated 24.01.2019 or any other tender to any third party/highest bidder for the parking site at Okhla Phase-I, till the outcome of the present Petition, and/or;

Admittedly, the contract has now been awarded to *M. S. Contractor* and resultantly this petition has become infructuous. The

petitioner is at liberty to seek alternative remedy under the law. However, at this stage, the learned counsel for the petitioner says the security deposit is still lying with the respondent and the respondent is in the process of forfeiting it and also blacking listing the petitioner without giving any hearing.

The respondent is directed to afford a personal hearing on the issue of black listing of petitioner and forfeiture of his security deposit within two weeks from today and pass a speaking order.

The petition stands disposed of in above terms. The pending application also stands disposed of. No order as to costs. Order *dasti* to both the parties.

YOGESH KHANNA, J.

MARCH 07, 2019

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