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

+ W.P.(C) 2642/2019

TAJINDER KUMAR

..... Petitioner

Through: Mr Adarsh Ganesh, Advocate.

versus

DELHI STATE INDUSTRIAL & INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD. & ANR.

.....Respondents

Through: Mr Sumit Rana, Ms Shreya
Sharma and Mr Ayush Srivastava,
Advocates for R-1/DSIIDC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **15.03.2019**

1. Issue notice. Learned counsel appearing for the respondents accepts notice.
2. The petitioner has filed the present petition, *inter alia*, impugning a notice dated 29.01.2019 passed by respondent no. 1 (DSIIDC), seeking to dispossess the petitioner from the Industrial Plot No.28, Pocket-A, Sector-5, measuring 150 sq. mtrs. situated in the Industrial Complex, Bawana, Delhi-110039. The said plot was allotted to the petitioner under the Relocation Scheme floated in the wake of the decision of the Supreme Court in ***M. C. Mehta v. Union of India: W.P. (C) 4677 of 1985.***
3. The petitioner was running an industrial unit in a non-conforming

area and in terms of the orders passed by the Supreme Court, was required to shut down the said industry. The petitioner was allotted an alternative plot (the plot in question) in order to enable the petitioner to relocate its industrial unit. The allocation of the said plot has since been cancelled by an order dated 16.11.2018 as it is alleged that the petitioner has not taken any steps to develop the site or utilise the said plot in question.

4. The petitioner has filed an appeal against the said cancellation dated 16.11.2018, before the Hon'ble Lieutenant Governor of NCT of Delhi (respondent no. 2) and the same is pending consideration.

5. In view of the pendency of the petitioner's appeal, it will not be apposite for the DSIIDC to take precipitate steps to dispossess the petitioner. In this view, the petition is allowed and the DSIIDC is directed to keep the impugned notice in abeyance till the petitioner's appeal against cancellation order dated 16.11.2018 is finally decided by the Hon'ble Lieutenant Governor of NCT of Delhi.

6. It is clarified that this order is subject to any order that may be passed by the Hon'ble Lieutenant Governor of NCT of Delhi in the said appellate proceedings.

7. The petition is disposed of.

VIBHU BAKHRU, J

MARCH 15, 2019
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