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

+ **W.P.(C) 13347/2019**

DELHI DEVELOPMENT AUTHORITY

..... Petitioner

Through: Mr. Rajiv Bansal, Senior Advocate
with Ms. Prabhsaham Kaur, Ms.
Shruti, Ms. Parul Pawthi and Mr.
Awant Nigam, Advocates.
(M:8178188748)

versus

DELHI POLLUTION CONTROL COMMITTEE Respondent

Through: Mr. Atul Verma, Mr. Abhishek Kr.
Dev and Mr. Sanjeev Ralli,
Advocates. (M:8802121996)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **13.01.2020**

CM APPL. 54200/2019(exemption)

1. Allowed, subject to all just exceptions. Applications are disposed of.

W.P.(C) 13347/2019 & CM APPL. 54199/2019

2. The grievance of the Petitioner - DDA is that the Respondent - DPCC passed orders *ex parte* without hearing the DDA. An order passed by this Court in a similar matter i.e. Writ Petition (Civil) 10231/2019 is relied upon by ld. Senior Counsel Mr. Rajiv Bansal.

3. The impugned order has imposed a penalty of Rs.1 lakh on the DDA. It is the admitted position that the DDA was not heard. Ld. counsel appearing for the DPCC submits that the present writ petition shall be treated as a representation and the DDA shall be heard.

4. Accordingly, in view of the stand taken by the DPCC, the impugned order dated 22nd October, 2019 is set aside to the extent of environmental compensation being imposed on DDA. The DDA is permitted to place its case before the DPCC along with whatever material it seeks to rely upon. The DPCC shall afford a hearing to the DDA and pass orders in accordance with law.

5. With these observations, the petition and all pending applications are disposed of.

PRATHIBA M. SINGH, J.

JANUARY 13, 2020

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