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

% *Date of Decision: 28th July, 2020*

+ **W.P.(C) 3983/2020**

AKHIL BHARTIYA MUSLIM VIKAS MUNCH Petitioner

Through: **Mr.Sitab Ali Chaudhary, Advocate**

Versus

DELHI DEVELOPMENT AUTHORITY & ORS. Respondents

Through: **Ms.Arti Bansal, Adv. for R-1/DDA.**

**Ms.Mrinalini Sen Gupta, Adv. with Ms.Nihaarika
Jauhari, Advocate for R-2 & 3.**

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D. N. Patel, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

C.M.No.14292/2020 (exemptions)

Exemptions allowed, subject to all just exceptions.

The application is disposed of.

W.P.(C) No.3983/2020 & C.M.No.14291/2020(stay)

1. This public interest litigation has been preferred with the following prayers:-

“a) A writ of certiorari calling for the records of the case and peruse the same;

- b) A writ, orders or directions in the nature of certiorari to quash an illegal, arbitrary, malafide, discriminatory, unjust, unwarranted, uncalled for and without jurisdiction action on the part of the Respondents FIRSTLY, opening the rear entrance/back entry to wine shops (except shop No.5) situated in a private property of "Cross River Mall", CBD, in Shahdara, Delhi, SECONDLY, constructing permanent stairs on public road towards the said wine shops, and THIRDLY, providing a platform to create law & order problems by drinking thereof;
- c) A writ, orders or directions in the nature of mandamus directing the Respondents to forthwith stop opening of the rear entrance/back entry to the said wine shops, situated in a private property of the "Cross River Mall", CGD, in Shahdara, Delhi, on public road and closed it forever, by allowing the opening of said shops towards & from inside of the said mall only;
- d) A Writ of Mandamus commanding the Respondents to pay the costs of this petition to the Petitioner; and
- e) Any other writ, order or direction which may be deemed fit and proper in the facts and circumstances of the case and in tile interest of justice."

2. Learned counsel appearing for the petitioner, after canvassing some arguments, submitted that a representation has already been preferred by the petitioner with the concerned respondent authorities which is annexed at Annexure P-3 of the memo of this writ petition, therefore, it will suffice for the disposal of the writ petition, if the concerned respondent authorities are directed to dispose of the said representation.

3. We, accordingly, direct that the representation preferred by the petitioner (Annexure P-3 of the memo of this writ petition) be decided by the concerned respondent authorities in accordance with law, rules, regulations and Government policies applicable to the facts of the present case, as expeditiously as possible and practicable and after giving adequate

opportunity of being heard to the concerned persons.

4. With these observations, this writ petition is disposed of along with the pending application.

CHIEF JUSTICE

PRATEEK JALAN, J

JULY 28, 2020
'anb'



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