

\$~ 5& 6 (2021)

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

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Decision delivered on: 29.09.2021

+ **LPA 182/2021 & 18482/2021**

AIRPORTS AUTHORITY OF INDIA & ANR. Appellants

Through: Mr. Digvijay Rai and Mr. Aman
Yadav, Advocate.

versus

GIRJA BHAN & ANR. Respondents

Through: Mr. Manoj V. George, Ms. Akriti
Seth and Ms. Bhavika, Advocates.

+ **LPA 199/2021 & CM Nos. 20107-08/2021**

GIRJA BHAN Appellant

Through: Mr. Manoj V. George, Ms. Akriti
Seth and Ms. Bhavika, Advocates.

versus

AIRPORT AUTHORITY OF INDIA & ORS. Respondents

Through: Mr. Digvijay Rai and Mr. Aman
Yadav, Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE TALWANT SINGH

RAJIV SHAKDHER, J. (ORAL):

[Court hearing convened via video-conferencing on account of COVID-19]

1. These are cross-appeals preferred against the judgement of the learned single judge, dated 21.05.2021, passed in W.P.(C) No. 7840/2020.

1.1. The operative directions issued by the learned single judge are

LPA 182/2021 and 199/2021

Page 1 of 3

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Signing Date: 09.10.2021
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contained in paragraph 42 of the impugned judgement. For the sake of convenience, the same is extracted hereafter: -

"42. The petitioner having retired on June 30, 2019, and was allowed to retain the accommodation for six months i.e., till December 31, 2019, and thereafter being an unauthorised occupant, was rightly directed to vacate the same. I do not see any illegality in the impugned order. The Petition is dismissed. But at the same time being conscious of the situation prevailing because of COVID-19 and the fact that the petitioner's daughter is getting married in the month of October, 2021, I deem it appropriate to extend the time for petitioner to vacate the quarter till December 31, 2021, during which period, the petitioner shall pay the licence fee as per the rules. No costs."

2. Mr. Manoj V. George, who appears on behalf of Ms. Girja Bhan [i.e., the writ petitioner], who is the present occupant of the subject premises, says that, he has instructions to convey to the Court that, Ms. Girja Bhan will vacate the subject premises, as indicated in the aforementioned judgment of the learned single judge, by 31.12.2021, and shall also pay the licence fee, as per the rules.

3. In these circumstances, given the difficulties faced by Girja Bhan, as noted by the learned single judge, and the fact, we are told, she is recovering from cancer, the above-captioned appeals are disposed of with following directions:

(i) Ms. Girja Bhan will file an undertaking in the form of an affidavit, that she will vacate the premises on or before 31.12.2021, and that she would pay the licence fee, as per the relevant rules.

(ii) The aforesaid affidavit will be filed within two weeks from the date of receipt of a copy of the order.

4. There will be no order, as to costs.
5. At this stage, Mr. George emphasizes that, Ms. Girja Bhan has already paid the license fee, as per the relevant rules. This submission has been made by Mr. George, as Mr. Digvijay Rai takes the position that licence fee, as per the relevant rules, has not been paid.
 - 5.1. We are not called upon to decide this issue in the instant proceedings. If and when this issue arises, the relevant forum will adjudicate upon the same.
6. The case papers shall stand consigned to the record.

RAJIV SHAKDHER, J

TALWANT SINGH, J

SEPTEMBER 29, 2021

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Click here to check corrigendum, if any

LPA 182/2021 and 199/2021

Page 3 of 3