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

+ **W.P.(C) 973/2024**

QUALITY COUNCIL OF INDIA

..... Petitioner

Through: Mr. Dayan Krishnan, Senior Advocate & Mr. Mohit Mathur, Senior Advocate with Mr. Sukrit Seth, Mr. Neeraj Kumar, Ms. Amita R Mishra, Mr. Vishal Rao, Mr. Harsh Gautam, Mr. Sahej Garg, Ms. Shikha, Advocates

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr. Shashank Garg, CGSC with Ms. Vidhi Gupta, Ms. Nishtha Jain, Ms. Aradhya Chaturvedi, Advocates for R-1

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **22.01.2024**

CM APPL. 4046/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 973/2024 & CM APPL. 4045/2024

1. The Petitioner is a tenant under Respondent No.2 and is occupying the premises which were allotted to the Indian Council of Child Welfare, 4, Deen Dayal Upadhyay Marg Marg, New Delhi under a lease agreement dated 19.05.1977 entered into between the President of India and Respondent No.2.



2. Clause 13 of the lease agreement does not permit Respondent No.2/lessee to sub-lease the premises without prior permission of the President of India.
3. On the ground that the lease conditions have been violated, a notice dated 19.01.2024 has been issued by Respondent No.1 for eviction of the Petitioner, who is a sub-lessee of Respondent No.2.
4. Mr. Shashank Garg, learned CGSC for Respondent No.1, states that the Petitioner is under no threat of being evicted immediately. He states that one page of the said notice has been omitted and the complete notice has not been filed.
5. Mr. Dayan Krishnan, learned Senior Counsel for the Petitioner, states that the said page has not been provided to the Petitioner.
6. The relevant portion of the page which has not been filed, reads as under:-

“Copy also to the following, with a request to take note of the aforesaid re-entry order and direction to open an Escrow Account with immediate effect for depositing monthly rental (as per existing agreement with ICCW) for continuing to avail office space at the said premises. The opening of Escrow Account and intimation to L&DO may be ensured within 5 days period from date of issue of this letter, failing which you may prefer to vacate the premises. Based on request received with details of the Escrow Account to L&DO, temporary arrangement shall continue till the time a final decision is taken in this regard:

1. Administrative Incharge, Quality Council of India, Indian Council for Child Welfare Building, 4, Pandit Deen Dayal Upadhyay Marg, New Delhi-110002



2. Administrative Incharge, National Savings Institute, Department of Economic Affairs, First Floor, Indian Council for Child Welfare Building, 4, Pandit Deen Dayal Upadhyay Marg, New Delhi-110002

3. Director General, O/o Director General Audit (Railway Commercial), 4, Pandit Deen Dayal Upadhyay Marg, New Delhi-110002.”

7. In view of the above, there is no immediate threat for the Petitioner to be evicted from the premises.
8. The writ petition is disposed of along with pending application(s), if any.
9. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

JANUARY 22, 2024

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