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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1224/2024 & CM APPL. 5139/2024**
GAUTAM KUMAR Petitioner
Through: *Appearance not given.*

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents

Through: Mr. Prashant Manchanda, ASC for
GNCTD with Ms. Arani Mukherjee,
Ms. Nancy Shah and Ms. Haridas
Medha Dilip, Advocates for R-1 and
2.

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

29.01.2024

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1. The Petitioner has approached this Court for a direction to the Respondents to give an alternate kiosk shop to the Petitioner.
2. The Petitioner herein was allotted a Kiosk near bus bay No.121 at Platform-D, ISBT, Anand Vihar, Delhi. It is stated by the learned Counsel for the Petitioner that from the said bus bay which is adjacent to the kiosk of the Petitioner there are only two buses which are plying i.e., one at 08:00 in the morning and the other at 08:00 at night. Learned Counsel for the Petitioner draws attention of this Court to certain photographs which indicate that other than two buses, other buses were also to operate from the same bus bay which are not operating at all. Learned Counsel for the Petitioner also draws attention of this Court to a Communication dated 06.12.2022 addressed to another allottee who was on earlier occasion allotted the same shop i.e., Kiosk near bus bay No.121 at Platform-D, ISBT,



Anand Vihar, Delhi and on a representation made by the said allottee of a similar nature, a different kiosk was allotted to the said allottee. The said letter dated 06.12.2022 is reproduced as under:

DELHI TRANSPORT INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED 15
[An Enterprise of Govt. Of NCT of Delhi]
2nd-Floor: Maharana Partap: ISBT Kashmere Gate, Delhi
F.No.DTIDC/STBr/AV-SKK/2021-22/89/ 345 Dated 6/12/2022
To

Sh. Rajendar Singh, S/o Sh. Jaya Singh, R/o H.No. A-100/209, Gali No. 4, South Gamri Extension, Garhi Mendu, North East Delhi, Delhi-110094.	Sh. Rajendar Singh, S/o Sh. Jaya Singh, Kiosk Near (Bus Bay No. 121) at Platform-D, ISBT, Anand Vihar, Delhi. Through Estate Manager, ISBT, Anand Vihar, Delhi.
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Sub:- Regarding change of location of Kiosk Near (Bus Bay No. 121) at Platform-D, ISBT, Anand Vihar, Delhi.

Sir,

This is with reference to department letters dated 12.09.2022 & 31.10.2022 whereby it was requested to submit outstanding license fee and other charges in respect of above kiosk Near (Bus Bay No.121) at platform-D, ISBT, Anand Vihar, Delhi.

The competent authority, DTIDC has consider your representation received through letter dated 18.07.2022, 14.09.2022, 14.10.2022 & 01.11.2022 and decided to offer Kiosk at Platform-C (Bus Bay No.82), ISBT, Anand Vihar, Delhi of same size and nature on the existing quoted price of Rs.1.26,325/- in lieu of kiosk Near (Bus Bay No.121) at platform-D, ISBT, Anand Vihar, Delhi for the balance period of term subject to licensee shall deposite pending license fee & other charges within a week of existing kiosk.

It is therefore, requested to take possession of Kiosk at Platform-C (Bus Bay No.82), ISBT, Anand Vihar, Delhi immediately and make the outstanding payment of existing shop within a week.

Failure to comply with the above offer, action shall be taken as per NIT i.e. forfeiture of Security Deposit.


Executive Director, DTIDC

3. Learned Counsel for the Petitioner submits that the Petitioner is unlucky inasmuch as the kiosk near bus bay No.121 has been allotted to the



Petitioner and from the said bus bay only two buses are operating whereas many more buses had to operate which is not happening.

4. Instead of issuing notice in the present writ petition, this Court deems it expedient to direct the Respondents to consider the present writ petition as a representation from the Petitioner and take a decision within four weeks from today as to whether an alternate kiosk can be allotted to the Petitioner or not.

5. The writ petition is disposed of, along with pending application(s), if any.

6. It is always open for the Petitioner to approach this Court again in case the representation is decided against the Petitioner.

SUBRAMONIUM PRASAD, J

JANUARY 29, 2024

S. Zakir