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

+ **W.P.(C) 6130/2024**

RAVINDER

.....Petitioner

Through: Mr. Rakesh Kumar, Advocate with
petitioner in person

versus

NEW DELHI MUNICIPAL COUNCIL

.....Respondent

Through: Mr. Akshay Verma, SC with
Mr. Akshay Amritanshu, Mr. Samyak
Jain, Ms. Pragya Upadhyay,
Advocates for NDMC

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

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01.08.2024

1. The present writ petition is filed under Article 226 of the Constitution seeking the following prayers:-

- a. Issue writ of mandamus or writ/order/direction in the nature of mandamus against respondent thereby prohibit respondent to proceed in petition under section 5 & 7 of Public Premises (Eviction of Unauthorised Occupants) Act , 1971 in favour of petitioner and against the respondent;
- b. Issue writ of certiorari or writ/order/direction in the nature of certiorari against the respondent thereby quashing cancellation order dated 10/06/2016 in favour of petitioner and against the respondent;
- c. Issue writ of mandamus or writ/order/direction in the nature of mandamus against respondent thereby direct respondent to renew license deed dated 12/10/2006 in favour of petitioner and against the respondent;
- d. Award /grant cost of instant petition in favour of petitioner and



against the respondents;

Any other relief(s)/order(s) as this Hon'ble Court may deem fit or proper in view of the facts and circumstances of the present petition, may also be passed/ awarded in favour of the petitioner and against the respondents, in the interest of justice.

2. Mr. Akshay Verma, Standing Counsel appearing on behalf of the respondent on advance notice stated that the present writ petition is barred under section 9 of Public Premises (Eviction of Unauthorised Occupants) Act, 1971 as the appropriate remedy is to file an appeal before the court of District Judge.
3. Mr. Rakesh Kumar, Advocate for the petitioner stated that till today, no order has been passed by the Estate Officer in EO Court Case No. 4/7/2017/EO titled as **NDMC V Ravinder** and only proceedings under sections 5 and 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 are pending before the court since 2017 on the basis of the cancellation order dated 10.06.2016.
4. The present petition is disposed of with the direction to the Estate Officer to dispose of EO Court Case No. 4/7/2017/EO titled as **NDMC V Ravinder** preferably within a period of 6 months from the date of receipt of this order.
5. Copy of this order be sent to the concerned Estate Officer for information and compliance.
6. A copy of this order be given *Dasti* to the counsel for the parties as prayed for.

DR. SUDHIR KUMAR JAIN, J

AUGUST 1, 2024/j/am