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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 9873/2024, CM APPL. 40545/2024, CM APPL. 44461/2024
& CM APPL. 48560/2024
K M ENTERPRISESPetitioner

Through: Ms. Nandni Sahni and Mr. Shashank
Sharma, Advocates

versus

DELHI DEVELOPMENT AUTHORITY THROUGH VICE
CHAIRMAN & ORS.Respondent

Through: Mr. R.K. Dhawan, Standing Counsel
for DDA/R-1 & R-2 with Ms. Nisha
Dhawan, Mr. V.K. Teng, Mr. Naman
Kumar Thakur, Advocates
Mr. Gautam Narayan and Ms.
Ashmita, Advocates for R-3
Ms. Mehak Nakra, ASC (Civil)
GNCTD for R-4 & R-5 with Mr.
Gunjan Suyal and Mr. Aditya Goyal,
Advocates

+ CONT.CAS(C) 1236/2024
M/S KM ENTERPRISES THR. SHRI KAPIL MONGIA ...Petitioner

Through: Ms. Nandni Sahni and Mr. Shashank
Sharma, Advocates

versus

DDA THROUGH ITS VC & ORS.Respondent

Through: Mr. Tushar Sannu, Advocate for
DDA/R-1
Mr. Gautam Narayan and Ms.
Ashmita, Advocates for R-3

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
25.11.2024

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1. Learned counsel for petitioner has, in all fairness, admitted that DDA
has already issued a cancellation letter dated 29.05.2024 whereby the



petitioner herein had been directed to handover the physical possession of the open space of the function site to the concerned Engineering Division of DDA and has also been directed to pay up-to-date licence fee along with the interest thereof.

2. It is submitted by the learned counsel for the petitioner that the aforesaid cancellation has been done under wrong premise and it gives petitioner a fresh cause of action. She submits that, without prejudice to her rights and contentions taken in the present writ petition, she may be permitted to withdraw the present writ petition, with liberty to challenge aforesaid cancellation letter dated 29.05.2024.

3. She also submits that whatever licence fee, the petitioner was required to pay, has already been deposited by him with the DDA.

4. Keeping in mind the overall facts and circumstances of the case and fact that there is cancellation letter dated 29.05.2024 issued by the respondent-Authority which the petitioner is now willing to challenge, present writ petition and also the contempt petition are disposed of as not pressed, while reserving all the rights and contentions of the parties.

5. Let *status quo* with respect to the physical possession of the premises as mentioned in the cancellation letter dated 29.05.2024 be maintained for a period of four weeks from today.

6. Copy of this order be given *dasti* under the signatures of the Court Master.

MANOJ JAIN, J

NOVEMBER 25, 2024/dr