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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CONT.APP.(C) 60/2023
+ CONT.APP.(C) 2/2024
+ CONT.APP.(C) 3/2024
+ CONT.APP.(C) 4/2024

SHRI MADHUP VYASF
SURAJ PRAKASH
M P GUPTA
NITIN PRAMOD

.....Appellants

Through: Ms. Puja Kalra, SC with Mr. Virendra
Singh, Adv.
Mr. J.B. Meena, EE

versus

MRS VIREN SINGH

.....Respondent

Through: Mr. Rakesh Khanna, Sr. Adv. with
Mr. Ayush Gupta, Mr. Pankaj Paul,
Advs.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER
28.08.2024

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1. On 09.07.2024, this Court, after hearing the parties at length, had granted time to the learned counsel for the appellants to obtain instructions as to whether they would be willing to consider the respondent's application for permission to carry out construction on the third floor of the property bearing No. B-165, Naraina Vihar, New Delhi without insisting on condition



nos. 3 and 4 of their order dated 25.04.2018. For the sake of completeness condition nos. 3 and 4 of their order dated 25.04.2018 are reproduced herein below:-

“3. As per plan, there is infringement of front set back at GF, FF and SF which is not permissible.

4. The site has been inspected and it is found that there are projection on public land in the side lane at GF, FF and SF which is not permissible.”

2. Today, she submits that a decision has been taken to process the respondent's application without insisting on these conditions contained in the order dated 25.04.2018. She further submits that in order to ensure that the respondent's application is processed expeditiously, the respondent be directed to file a fresh application online which application will be considered on merits, without insisting on the conditions as set out in clauses (3) and (4) of the communication dated 25.04.2018.

3. In the light of this stand taken by the appellants, learned senior counsel for the respondent submits that the respondent will file a fresh application online seeking permission to carry out construction of the third floor of the aforesaid property within a period of two weeks from today, which application, subject to the same being compliant with other requirements, without insisting on the conditions as set out in clauses (3) and (4) of the communication dated 25.04.2018, will be processed within a period of four weeks.

4. Learned senior counsel for the respondent further assures this Court that the respondent will withdraw their application seeking revival of the contempt petition and prays that the contempt petition filed by the respondents would be treated as withdrawn.



5. The contempt appeals are disposed off in the aforesaid terms by making it clear that the contempt petition bearing CONT.CAS(C) no. 474/2018 will also be treated as withdrawn.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 28, 2024/SU