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

+ **W.P.(C) 13071/2024**

VANDANA NAGPAL & ANR.

.....Petitioners

Through: Mr. Ajay Jain, Mr. M.N. Mishra, Mr. Bijay Lakshmi, Mr. Manoj Gautam, Mr. Krishna Sharma, Ms. Shreya Jain, Mr. Vikrant Singh, Advocates

versus

DELHI TRANSPORT INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED

.....Respondent

Through: Ms. Puhumi Aditya, Advocate for Mr. Jawahar Raja, ASC (Civil) for the GNCTD

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **18.09.2024**

CM APPL. 54537/2024 (Exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

W.P.(C) 13071/2024 & CM APPL. 54536/2024 (for stay)

4. The Petitioners are licensees of Shop Nos. 4, 5 and 8, Food Court, ISBT, Kashmere Gate, Delhi, which were awarded to them for a period of one year by the Delhi Transport Infrastructure Development Corporation Limited/Respondent. The Petitioners allege that the Respondent has been threatening them to vacate the said shops before the expiry of the one year



license period, on the ground of alleged renovation of ISBT, Kashmere Gate.

5. Mr. Ajay Jain, Counsel for the Petitioners highlights that as per Clause 4.11(i) of the License Agreement/ NIT, the Respondent can only terminate the license of the said shops after providing one month-notice to the Petitioners. He submits that the said notice has not been served to the Petitioners and accordingly, the Respondent's action of forcefully evicting the Petitioners without following due process is illegal and arbitrary, and impermissible under the terms of the License Agreement. Therefore, he contends that the Respondents must be restrained from evicting the Petitioners without following due process of law.

6. Ms. Puhumi Aditya, counsel for the Respondent, on instructions, denies all the allegations made in the petition. However, she confirms that presently, no notice has been issued to the Petitioners for eviction. She states that if the Respondent decides to terminate the Petitioners' license prior to the term of the license, they shall issue a notice of eviction in terms of Clause 4.11 (1) of the License Agreement.

7. The aforementioned statement of the counsel for the Respondent is taken on record and they shall be bound by the same.

8. The Court has not examined the merits of the allegations made by the Petitioner. All rights and contentions of the parties are left open.

9. The Petition is disposed of along with pending application.

SANJEEV NARULA, J

SEPTEMBER 18, 2024/ab