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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of Decision: 21st January, 2025***
+ **CONT.CAS(C) 118/2024 & CM APPL. 4785/2024**

RESIDENT S WELFARE ASSOCIATION B 1 VASANT KUNJ

.....Petitioner

Through: Mr. Ankit Jain, Sr. Advocate with Mr.
Brijesh Chaudary, Mr. Prins Kumar
and Mr. Aditya Chauhan, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY & ORS.

.....Respondent

Through: Ms. Chand Chopra and Ms. Neha
Bhupathiraju, Advocates for R-
1/DDA.

Mr. Sanjeev Sagar, Sr. Advocate with
Ms. Nazia Parveen, Advocate for R-2.

+ **W.P.(C) 1797/2016 & CM APPL. 39220/2018 & CM APPL.
12928/2020 & CM APPL. 22768/2020 & CM APPL. 3825/2021 &
CM APPL. 30907/2021 & CM APPL. 14078/2022 & CM APPL.
44973/2023 & CM APPL. 60524/2023 & CM APPL. 27788/2024**

M/S NORTHERN INDIA MASONIC CHARITABLE SOCIETY

.....Petitioner

Through: Mr. Sanjeev Sagar, Sr. Advocate with
Ms. Nazia Parveen, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY AND ANR

.....Respondent

Through: Mr. Ankit Jain, Sr. Advocate with Mr.
Brijesh Chaudary, Mr. Prins Kumar
and Mr. Aditya Chauhan, Advocates
for R-1.

Mr. Arjun Pant, Advocate.



CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN
J U D G M E N T (oral)

CM APPL. 22769/2020 in W.P.(C) 1797/2016 (Exemption)

Exemption allowed, subject to all just exceptions.

CONT.CAS(C) 118/2024 & W.P.(C) 1797/2016

1. It is apprised by learned counsel for all the parties that the decision has already been taken by the Vice-Chairman of DDA in terms of the specific directions given by this Court and copy of such decision/order has also been placed on record.
2. Such order is dated 30.08.2024 and records following directions after looking at the matter in its entirety and after agreeing with the recommendation of the Committee of the concerned stake-holders:

"1. Since the parking for the residential flats had been provided in the designated areas earmarked in the layout plan, the RWA BI Vasant Kunj shall ensure that the existing 13.5 metre wide approach road shall be cleared of parked vehicles. This road shall continue to be used as an approach road for the school.

2. In order to reduce congestion due to traffic on the above road, a pedestrian entry to the students from Aruna Asaf Ali Marg shall be provided from the Green Area/ patch adjacent to the boundary wall in khasra no. 1220 by the Chief Engineer (Horticulture), DDA.

3. The Chief Engineer (Horticulture), DDA shall ensure that the pathway shall be properly fenced for the protection of existing water body and security of children.

4. M/s Northern India Masonic Charitable Society and school shall ensure that there shall be no movement of any motorised vehicle on this pathway under any circumstance and there shall be no disturbance to the trees on khasra no. 1220.

5. It shall be the sole responsibility of the school to ensure the safety and protection of the children using this pedestrian pathway. The school shall also ensure that the parking of buses/ cars on the service lane of Aruna Asaf Ali Marg does not cause traffic jam."



3. Learned Senior Counsel for the petitioner in W.P.(C) 1797/2016 and learned counsel for the petitioner in CONT.CAS(C) 118/2024 have submitted that since their grievances have been adequately taken care of, they do not press for any further relief in the above said two petitions. It is, however, submitted that with respect to the decision mentioned at point No. 2 above, the pedestrian entry may be provided without any further delay as such entry is to be eventually used by students.
4. Let the appropriate provision for the pedestrian entry be made by DDA within a period of six weeks from today.
5. Both the petitions stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

JANUARY 21, 2025/ss