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

+ **W.P.(C) 2244/2025**

RAJIV KUNDRA

.....Petitioner

Through: **Mr. Ashish Upadhyay, Adv.**

versus

DELHI METRO RAIL CORPORATION (DMRC) & ORS.

.....Respondents

Through: **Mr. Tushar Sannu, SC and Ms.
Shivraj Singh Tomar, Advs., MCD.**

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

20.02.2025

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CM APPL.10468/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition has been filed by the petitioner seeking directions against the respondent nos.1 and 2 [Delhi Metro Rail Corporation (DMRC) and Municipal Corporation of Delhi (MCD) respectively] to cancel the letter of acceptance dated 29.08.2024 which was awarded in favour of the respondent no.3 for licensing of bare space for commercial utilization of Ramesh Nagar (Schedule 14 and 15) of DMRC Network through open e-tender.
4. Pursuant to the tender process initiated by the DMRC, the requisite licence was awarded to respondent no.3. One of the conditions of the tender pursuant to which the licence was awarded was that "*licencee shall be permitted to develop the offered Bare Space/area licensed by creating only*



temporary structures as per DMRC specifications”.

5. It is apprehended by the petitioner that the licensee has carried out / is in the process of raising permanent structures and /or structures which are beyond the scope of the licence agreement entered into between respondent no.1 and respondent no.3. It is apprehended that the petitioner’s property may have been damaged as a result of excavation being carried out by the respondent no.3 in the licenced area, which is adjacent to the petitioner’s property.

6. Learned counsel for the respondent nos.1 and 2 submits that in terms of the relevant licence conditions, it is not permissible to raise any permanent structure at all. He further submits that respondent no.1 will duly inspect the premises and will ensure that the activities being carried out by the respondent no.3, and the structures created in the licence area, are strictly in conformance with those mentioned in the licence agreement. If any structure (whether permanent or temporary) has been raised by the respondent no.3, which is in contravention of the terms of the license agreement or which is contrary to the DMRC specifications, steps shall be taken to immediately remove the same and to restore the site to its original condition. The said statement is taken on record.

7. The abovesaid redresses the grievance raised by the petitioner in the present petition.

8. In the circumstances, learned counsel for the petitioner does not press for any further relief except to request that the necessary action / inspection be carried out by the DMRC expeditiously. Let the requisite inspection be carried out by the DMRC within a period of ten days from today; if any remedial action is warranted, the same be taken immediately thereafter.



9. The present petition is disposed of in the above terms.

FEBRUARY 20, 2025/cl

SACHIN DATTA, J