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

+ W.P.(C) 4295/2025 and CM APPLs.19946/2025, 19947/2025

M/S. AOM ADVERTISING PVT. LTD.Petitioner

Through: Mr. N.P. Singh, Mr. Barun Dey and
Mr. Vinay Kaushik, Advs.

versus

M/S DELHI TRANSPORT INFRASTRUCTURE

DEVELOPMENT CORPORATION LIMITED (DTIDCL) & ANR.

.....Respondents

Through: Mr. Amiet Andlay and Mr. Arun K.
Sharma, Advs.

Ms. Archana Surve, Adv. and Mr.
Vijay Kumar, Ex. Engg.

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+ W.P.(C) 4296/2025 and CM APPLs.19948/2025, 19949/2025

M/S. AOM ADVERTISING PVT. LTD.Petitioner

Through: Mr. N.P. Singh, Mr. Barun Dey and
Mr. Vinay Kaushik, Advs.

versus

M/S DELHI TRANSPORT INFRASTRUCTURE

DEVELOPMENT CORPORATION LIMITED (DTIDCL) & ANR.

.....Respondents

Through: Mr. Amiet Andlay and Mr. Arun K.
Sharma, Advs.

Ms. Archana Surve, Adv. and Mr.
Vijay Kumar, Ex. Engg.

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+ W.P.(C) 4298/2025 and CM APPLs.19953/2025, 19954/2025

M/S. AOM ADVERTISING PVT. LTD.Petitioner

Through: Mr. N.P. Singh, Mr. Barun Dey and
Mr. Vinay Kaushik, Advs.

versus

M/S DELHI TRANSPORT INFRASTRUCTURE

DEVELOPMENT CORPORATION LIMITED (DTIDCL) & ANR.

.....Respondents

Through: Mr. Amiet Andlay and Mr. Arun K.
Sharma, Advs.

Ms. Archana Surve, Adv. and Mr.



Vijay Kumar, Ex. Engg.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

04.04.2025

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1. M/s AOM Advertising Pvt. Ltd., which is the petitioner in the present petitions, entered into 3 separate concession agreements with M/s. Delhi Transport Infrastructure Development Corporation Ltd. (respondent no.1) for marketing, operations and maintenance of 431 bus queue shelters (BQSs) on PPP basis in Zone 2 (in W.P.(C) 4295/2025), in Zone 5 (in W.P.(C) 4296/2025) and in Zone 4 (in W.P.(C) 4298/2025) [hereinafter '*the concession agreement/s*'].
2. The present petitions assail a 'Notice of Intention for Termination' of the concession agreements dated 31.01.2025; communication dated 21.03.2025 for Termination of Concession Agreements, and a letter for handing over of BQSs to the respondent no.1 dated 26.03.2025.
3. The limited grievance raised by M/s AOM Advertising Pvt. Ltd. (petitioner) is that in terms of the contractual prescription incorporated in Clause 17.1.2 of the concession agreement/s,¹ it is incumbent on the respondent no.1 to consider the representation given by the petitioner in response to a 'notice of intention for termination' issued by the respondent no.1 prior to taking termination action.

¹**Clause 17.1.2** - Without prejudice to any other rights or remedies which DTIDCL may have under this Agreement, upon occurrence of a Concessionaire Event of Default, DTIDCL shall be entitled to terminate this Agreement by issuing a Termination Notice to the Concessionaire provided that before issuing the Termination Notice, DTIDCL shall be a notice inform the Concessionaire of its intention to issue such Termination Notice and grant fifteen (15) days to the Concessionaire to make a representation, and may after the expiry of such fifteen (15) days, whether or not it is in receipt of such representation, issue the Termination Notice subject to the provisions of Clause 17.1.3.



4. In this regard, attention of the Court is drawn to the impugned communication dated 21.03.2025 pursuant to which the concession agreements between the petitioner and the respondent no.1 stand terminated. Relevant portion of the said impugned communication records as under:

“after the expiry of the fifteen (15) days, DTIDCL has not received any representation or response from the Concessionaire. Given the lapse of the allotted time for submission and the absence of any representation from the Concessionaire, DTIDCL is entitled to proceed with the issuance of the Termination Notice. Accordingly, DTIDCL now hereby issues the Termination Notice with immediate effect, in accordance with the provisions of the Concession Agreement.”

5. Learned counsel for the petitioner submits that although a representation was duly submitted by the petitioner on 20.02.2025 (Annexure - P21), the impugned communication dated 21.03.2025 erroneously notes that no representation at all was given by the petitioner.

6. In the light of the aforesaid and after some hearing, with the consent of the respective counsel for the parties, the present petitions are disposed of with the direction to the respondent no.1 to duly consider the representation of the petitioner dated 20.02.2025 and pass a fresh/supplementary order based on consideration thereof.

7. Let the aforesaid exercise be carried out within a period of 3 weeks from today, under intimation to the petitioner.

8. The present petitions are disposed of in the above terms. Pending applications also stand disposed of.

SACHIN DATTA, J

APRIL 4, 2025/at