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

+ **W.P.(C) 3720/2020 & CM APPL. 13335/2020, 13751/2020**

RAJESH RAI

.....Petitioner

Through: Mr. Abhishek Awasthi, Advocate
with Petitioner in person.

versus

DELHI DEVELOPMENT AUTHORITY

.....Respondent

Through: Ms. Mrinalini Sen, Standing Counsel
with Ms. Aditi Saxena, Advocate for DDA.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

11.11.2025

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1. This writ petition is filed on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India *inter alia* seeking a direction to the Respondent to extend the date for earnest money deposit of Rs. 4,33,485/- and refund EMD of Rs. 2,54,015/- to the Petitioner along with interest.
2. After canvassing some arguments, Petitioner, who appears in person, submits that the E-Auction document contains arbitration clause 1.11, which provides that disputes between the parties arising out of or in relation to the auction, if not amicably settled, will be settled in accordance with Arbitration and Conciliation Act, 1996 and therefore, Petitioner be permitted to withdraw this writ petition with liberty to take recourse to arbitral proceedings as a dispute resolution mechanism.
3. Ms. Mrinalini Sen, learned counsel for the Respondent objects to the withdrawal of the writ petition on the ground that the petition has been



pending in this Court for the past five years and reference to arbitration is barred by limitation.

4. Having heard counsels for the parties, Petitioner is permitted to withdraw this writ petition, with liberty as prayed for, in accordance with law. It is made clear that this Court has not expressed any opinion on the merits of the case or on the objection that reference to arbitration is time barred.

5. Accordingly, this writ petition is disposed of as withdrawn along with pending applications.

JYOTI SINGH, J

NOVEMBER 11, 2025/YA