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

+ **W.P.(C) 11395/2024 and CM APPL. 59103/2024**

**QAISAR SULTANA AND ANR** .....Petitioners

Through: Mr. Mir Akhtar Hussain and Ms. Sonia Goswami, Advocates with Petitioners in person.

versus

**DELHI DEVELOPMENT AUTHORITY AND ORS.....Respondents**

Through: Mr. Anuj Chaturvedi and Ms. Harshita Maheshwari, Advocates for R1.

Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K. Kaumudi Kiran, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar and Mr. Mayank Madhu, Advocates for R2.

Ms. Sangeeta Bharti, Standing Counsel with Ms. Manya Sharma, Advocate for R4.

Ms. Rupali Bandhopadhyay, Central Government Standing Counsel with Mr. Abhijeet Kumar and Mr. Anurag Arora, Advocates for UOI.

Mr. Rakesh Munjal, Senior Advocate with Mr. Rakesh Kumar, Mr. Sunil, Mr. Lokesh Kumar and Ms. Humaira Chaudhary, Advocates for R7 to R9 with Respondent No. 8 in person.

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

**30.01.2025**

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1. This writ petition is preferred on behalf of the Petitioners under Articles 14, 21 and 226 of the Constitution of India seeking a restraint against Respondents No. 7 to 9 from raising construction of commercial shopping complex in property bearing no. 259/5B, Aurobindo Marg, Mehrauli, New Delhi in violation of MPD-2021 and Gazette Notification No. F-9(24) 96/L&B/LA/13632 dated 26.12.2007. Directions are sought to



Respondents No. 1 to 3 to demolish the unauthorized and illegal construction.

2. At the outset, Mr. Rakesh Munjal, learned Senior Counsel appearing on behalf of Respondents No. 7 to 9 undertakes, on instructions from Respondent No.8, namely, Mr. Raihan Ahmed, who is present in Court, that no new construction shall be carried out in the subject property and it shall be ensured that the existing building is compliant with Notification dated 26.12.2007.

3. In light of the undertaking given by Respondents No. 7 to 9, counsel for Petitioners seeks to withdraw this writ petition reserving the rights of the Petitioners to raise the legal and factual issues highlighted in application being CM APPL. 59103/2024 at an appropriate stage.

4. Writ petition is accordingly disposed of taking the undertaking of Respondents No. 7 to 9 on record. An affidavit of undertaking will be filed by Respondents No. 7 to 9 within three weeks from today. Needless to state the said Respondents shall be bound by the undertaking given to the Court and any violation will be strictly viewed.

5. Liberty is granted to the Petitioners to raise the issues brought forth in the CM APPL. 59103/2024 at an appropriate stage, in accordance with law.

6. Pending application stands disposed of.

**JYOTI SINGH, J**

**JANUARY 30, 2025/jg/shivam**