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

+ W.P.(C) 15346/2024

MR. NIKHIL VITHAL JHAVERIPetitioner

Through: Mr. Pranav Sarthi, Advocate (through
VC) along with Ms. Apoorva Singh,
Advocate.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Himanshu Pathak, SPC along
with Mr. Amit Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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27.03.2025

CM APPL.18020/2025 (for early hearing)

1. This is an application seeking early hearing.
2. Considering the averments made in the application, the same is allowed; W.P.(C) 15346/2024 is taken up for hearing today itself.
3. The application stands disposed of.

W.P.(C) 15346/2024

4. During the course of hearing, it transpires that an order dated 20.03.2025 has been passed on the application submitted by the petitioner for approval of building plan/s, which reads as under :-

"To

*Ashok S. Beharay, POAH
Construction House, 796 / 189-B, Bhandarkar Institute Road,
Deccan Gymkhana, Pune-411004.*

**SUB : BUNGLOW NO. 5-B QUEENS GARDEN : PUNE
CANTT.**

*Ref : 1) Your building application with plan dated 10/07/2020
2) Letter No. H/496-B/I/ dated 17/03/2025 from DEO, Pune Circle,
Pune.*



The building plan submitted vide your above referred application has been rejected as per the order of GOC-in-C, SC, Pune communicated vide HQrs SC letter dated 27/01/2025 and PDDE SC letter no. 2931/ B / DE / Ty dated 13.03.2025. The proposal for erection of Building / Sanction of Building plan at subject property is 'Not Consented' by GOC-in-C, HQSC.

The DEO, Pune Circle, Pune vide above referred letter has returned the above referred Building Plan herewith duly endorsing "An Objection is raised on behalf of Govt. under Section 238(3) of the CA 2006 to proposed construction"

In view of above, the building plan submitted vide your above referred building application is returned herewith as rejected.

*Sd/-
Chief Executive Officer,
Pune Cantonment Board
(SUBRAT PAL)"*

5. In view of the aforesaid, learned counsel for the petitioner seeks to withdraw the present petition with liberty to avail appropriate remedies against the aforesaid order.
6. The present petition is, accordingly, dismissed as withdrawn with liberty as prayed for.
7. The date earlier fixed *i.e.*, 05.05.2025 stands cancelled.

MARCH 27, 2025/r

SACHIN DATTA, J