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

+ **W.P.(C) 10683/2018 and CM APPL. 41650/2018**

**M/S GAUTAM PROPERTIES (DELHI) PVT. LTD.
AND ANR.**

.....Petitioners

Through: Dr. Amit George, Mr. Aman Singh
Bakhshi, Mr. Divjot Singh Bhatia and Mr. Shaurya
Agarwal, Advocates.

versus

**DELHI DEVELOPMENT AUTHORITY
AND ANR.**

.....Respondents

Through: Ms. Chand Chopra and Ms. Neha
Bhupathi Raju, Advocates for DDA.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER
06.05.2025**

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1. The present petition has been filed by the petitioners challenging the impugned orders dated 29.03.2017 and 30.12.2016, whereby the misuse charges have been levied by the respondent DDA on Plot No. E-46/14, Okhla Industrial Area, Phase-II, New Delhi.
2. Dr. Amit George, learned counsel appearing on behalf of the petitioners submits that the petitioners will not press the present petition any further, if liberty is granted to the petitioners to make a detailed representation to the respondent/DDA to consider the case of the petitioners for calculation of the misuse charges in terms of the two circulars viz. - (i) F.1 (1)/2014-Coord.(LD)/DDA/32 dated 22.04.2014, and (ii) F.1(l)/2014-



Coord.(LD)/DDA/191 dated 04.08.2015.

3. Ms. Chand Chopra, learned counsel for the DDA submits that insofar as Circular of 2015 is concerned, it has been spelt out by the DDA in its additional counter-affidavit dated 28.04.2025 that the case of the petitioners has already been considered in terms of the said circular.

4. Mr. George, however, contends that the case of the petitioner was never considered in terms of the circular dated 22.04.2014 and further, the petition itself could be disposed of, if the proposed representation of the petitioner is considered by the DDA in light of both the aforesaid circulars notwithstanding the stand taken by the DDA in its additional counter-affidavit dated 28.04.2025.

5. Considering that a limited innocuous prayer is being pressed for the time being, the present petition is disposed of with liberty to the petitioners to file a detailed representation to the respondent DDA seeking computation of misuse charges in terms of the aforesaid two circulars. The representation so made shall be considered by the respondent DDA in light of aforesaid two circulars and misuse charges shall be computed in terms thereof, in case it is found that petitioners' property is covered by the said circulars, notwithstanding the stand taken by the DDA in its additional counter-affidavit dated 28.04.2025. The decision on the said representation shall be taken by the DDA within a period of eight weeks from today by passing a speaking order, which shall be communicated to the petitioners within a period of two weeks thereafter.

6. The petitioners shall be at liberty to approach the Court against the speaking order, if so advised.

7. Needless to state that the present order has been passed without



prejudice to the rights and contentions of the parties.

8. The petition stands disposed of in the above terms.

MAY 6, 2025/jg

VIKAS MAHAJAN, J