

(2020) 07 DEL CK 0196

In the Delhi High Court

Case No : Civil Writ Petition No. 3983 Of 2020

Akhil Bhartiya Muslim Vikas Munch

APPELLANT

Vs

Delhi Development Authority & Ors

RESPONDENT

Date of Decision : 28-07-2020

Acts Referred:

Citation : (2020) 07 DEL CK 0196

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ; Prateek Jalan, J

Bench : Division Bench

Advocate : Sitab Ali Chaudhary, Arti Bansal, Mrinalini Sen Gupta, Nihaarika Jauhari

Final Decision : Disposed Of

Judgement

D. N. Patel, CJ

Proceedings in the matter have been conducted through video conferencing.

C.M.No.14292/2020 (exemptions)

Exemptions allowed, subject to all just exceptions.

The application is disposed of.

W.P.(C) No.3983/2020 & C.M.No.14291/2020(stay)

1. This public interest litigation has been preferred with the following prayers:-

â??a) A writ of certiorari calling for the records of the case and peruse the same;

b) A writ, orders or directions in the nature of certiorari to quash an illegal, arbitrary, malafide, discriminatory, unjust, unwarranted,

uncalled for and without jurisdiction action on the part of the Respondents
FIRSTLY, opening the rear entrance/back entry to wine shops

(except shop No.5) situated in a private property of ""Cross River Mall"", CBD, in

Shahdara, Delhi, SECONDLY, constructing permanent

stairs on public road towards the said wine shops, and THIRDLY, providing a platform to create law & order problems by drinking thereof;

c) A writ, orders or directions in the nature of mandamus directing the Respondents to forthwith stop opening of the rear entrance/back

entry to the said wine shops, situated in a private property of the ""Cross River Mall"", CGD, in Shahdara, Delhi, on public road and closed

it forever, by allowing the opening of said shops towards & from inside of the said mall only;

d) A Writ of Mandamus commanding the Respondents to pay the costs of this petition to the Petitioner; and

e) Any other writ, order or direction which may be deemed fit and proper in the facts and circumstances of the case and in tile interest of

justice.â??

2. Learned counsel appearing for the petitioner, after canvassing some arguments, submitted that a representation has already been preferred by the

petitioner with the concerned respondent authorities which is annexed at Annexure P-3 of the memo of this writ petition, therefore, it will suffice for

the disposal of the writ petition, if the concerned respondent authorities are directed to dispose of the said representation.

3. We, accordingly, direct that the representation preferred by the petitioner (Annexure P-3 of the memo of this writ petition) be decided by the

concerned respondent authorities in accordance with law, rules, regulations and Government policies applicable to the facts of the present case, as

expeditiously as possible and practicable and after giving adequate opportunity of being heard to the concerned persons.

4. With these observations, this writ petition is disposed of along with the pending application.