

(2019) 11 DEL CK 0100

In the Delhi High Court

Case No : Civil Writ Petition No. 1935 Of 2018, Civil Miscellaneous No. 8034 Of 2018

Vineet Khanna

APPELLANT

Vs

New Delhi Municipal Council & Anr

RESPONDENT

Date of Decision : 05-11-2019

Acts Referred:

Citation : (2019) 11 DEL CK 0100

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ;C.Hari Shankar, J

Bench : Division Bench

Advocate : Jai Sahai Endlaw, Shivansh Soni, Malvika Trivedi, Tushar Sannu, Anurag Misra, Shivani Garg, Anupam Srivastava, Mihir Saraswat

Final Decision : Disposed Of

Judgement

D.N. Patel, CJ

1. This so called Public Interest Litigation has been preferred with the following prayers :

"I. Issue a Writ in the nature of Certiorari or any other Writ/Order / Direction quashing the Tender Notice No.2018_NDMC_144834_1 issued by Respondent No.1 as the same is in blatant contravention of the 2017 Policy referred above, and is also in violation of the order dated 3.08.2017 passed by the Hon'ble Supreme Court directing the strict implementation of the aforesaid policy; and

II Pass such other order(s) as the Hon'ble Court may deem fit in the facts and circumstances of the present case."

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, it appears that several grievances have been ventilated by this petitioner about the variable message advertising tender issued by the respondent no.1 and it is vehemently argued by counsel for the petitioner that the respondent no.1 is not following the Outdoor Advertisement Policy, 2017

as there are several restrictions prescribed in the said policy about the size of the board etc., whereas those restrictions are not adhered to while issuing the aforementioned tender in question.

3. Counsel appearing for the respondent no.1 submits that they have clearly stated in their affidavit that they are strictly following the Outdoor Advertisement Policy, 2017 and as such there is no violation of the aforesaid policy by the respondent no.1, much less in inviting tender notice for variable message advertising.

4. In view of the aforesaid submissions, it appears that respondent no.1 is already following the Outdoor Advertisement Policy, 2017 and they will continue to follow the same in future in letter and spirit. If there is any specific violation of the aforesaid policy, alleged by any private party, they are at liberty to file appropriate proceedings before the appropriate forum/court.

5. In this public interest litigation, we see no reason to give further direction because there is already an Outdoor Advertisement Policy, 2017, in existence and the same is being strictly followed by respondent no.1, as stated by counsel for the respondent no.1. Hence, there is no need to give further direction to the respondent no.1 that they should not breach the aforesaid Outdoor Advertisement Policy, 2017 as they have already stated on oath that they are following the Outdoor Advertisement Policy, 2017 strictly.

6. With the aforesaid observations, this writ petition is hereby disposed of with liberty given to the aggrieved person, if any, to approach the appropriate forum/court for redressal of his grievances, by pointing out specific breach/violation of the aforesaid policy committed by the respondent no.1.

7. With these observations, this writ petition is hereby disposed of.

CM No. 8034/2018

8. In view of the disposal of the writ petition, this application also stands disposed of.