



\$~30 to 59

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

+ **W.P.(C) 5260/2023, CM APPLs. 20567/2023 & 60842/2023**

ML LAHOTY Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL Respondent

31

+ **W.P.(C) 5448/2023, CM APPLs. 21318/2023, 21319/2023 & 60899/2023**

O P FAIZI Petitioner

versus

NEW DELHI MUNICIPAL
COUNCIL & ANR. Respondents

32

+ **W.P.(C) 5487/2023, CM APPLs. 21379/2023 & 60868/2023**

PRADEEP KUMAR DEY Petitioner

versus

NEW DELHI MUNICIPAL
COUNCIL & ANR. Respondents

33

+ **W.P.(C) 5546/2023, CM APPLs. 21808/2023 & 60833/2023**

ANEESH MITTAL Petitioner

versus

NEW DELHI MUNICIPAL
COUNCIL & ANR. Respondents

34

+ **W.P.(C) 5576/2023, CM APPLs. 21874/2023, 21875/2023, 60828/2023 & 60856/2023**

ASHISH AGGARWAL Petitioner

versus

NEW DELHI MUNICIPAL



- 35
+ COUNCIL & ANR. Respondents
W.P.(C) 5583/2023, CM APPLs. 21890/2023, 21891/2023 & 60883/2023
- ANAND AGGARWAL Petitioner
versus
- 36
+ NEW DELHI MUNICIPAL COUNCIL & ANR. Respondents
W.P.(C) 5600/2023, CM APPLs. 21973/2023, 21974/2023 & 60873/2023
- DARSHANA AGARWAL Petitioner
versus
- 37
+ NEW DELHI MUNICIPAL COUNCIL & ANR. Respondents
W.P.(C) 5609/2023, CM APPLs. 21999/2023, 22000/2023, 60890/2023
- REENA JAIN MALHOTRA Petitioner
versus
- 38
+ NEW DELHI MUNICIPAL COUNCIL AND ANR. Respondents
W.P.(C) 5724/2023, CM APPLs. 22432/2023 & 60846/2023
AJAY KUMAR VALI Petitioner
versus
- 39
+ NEW DELHI MUNICIPAL COUNCIL Respondent
W.P.(C) 5744/2023, CM APPLs. 22518/2023 & 60848/2023
AJAY KUMAR VALI Petitioner
versus



40 NEW DELHI MUNICIPAL COUNCIL Respondent
+ **W.P.(C) 5750/2023, CM APPLs. 22523/2023 & 60829/2023**
RAVINDER KUMAR Petitioner
versus

41 NEW DELHI MUNICIPAL COUNCIL Respondent
+ **W.P.(C) 5843/2023, CM APPLs. 22890/2023 & 60908/2023**
DEEPAK GANDHI Petitioner
versus

42 NEW DELHI MUNICIPAL COUNCIL Respondent
+ **W.P.(C) 5844/2023, CM APPLs. 22894/2023 & 60903/2023**
DEEPAK GANDHI Petitioner
versus

43 NEW DELHI MUNICIPAL COUNCIL Respondent
+ **W.P.(C) 5903/2023, CM APPLs. 23088/2023 & 60901/2023**
DEEPAK GANDHI Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL
THRU CHAIRMAN Respondent

44 + **W.P.(C) 5947/2023, CM APPLs. 23350/2023 & 60871/2023**
PRAKASH GUPTA Petitioner
versus

45 NEW DELHI MUNICIPAL COUNCIL Respondent
+ **W.P.(C) 6028/2023, CM APPLs. 23634/2023 & 60835/2023**



RAM KRISHNA SRIVASTAVA Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

46

+ **W.P.(C) 6297/2023, CM APPLs. 24730/2023 & 60861/2023**

SANA UL HAQ Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

47

+ **W.P.(C) 6299/2023, CM APPLs. 24733/2023 & 60838/2023**

ALOK SHUKLA Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

48

+ **W.P.(C) 6318/2023, CM APPLs. 24812/2023 & 60840/2023**

RAJENDRA TYAGI Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

49

+ **W.P.(C) 6344/2023, CM APPLs. 24919/2023 & 60881/2023**

KAMLENDRA MISHRA Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

50

+ **W.P.(C) 6458/2023, CM APPLs. 25384/2023 & 60865/2023**

VIJAY VASHISHT Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

51



+ **W.P.(C) 6508/2023, CM APPLs. 25580/2023 & 60875/2023**

ALoke PERIWAL Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

52

+ **W.P.(C) 7518/2023, CM APPLs. 29190/2023 & 60897/2023**

TARUN KUMAR Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

53

+ **W.P.(C) 7667/2023, CM APPLs. 29687/2023 & 60831/2023**

ICHCHHA RAM Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

54

+ **W.P.(C) 7682/2023, CM APPLs. 29707/2023 & 60877/2023**

ALoke PERIWAL Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

55

+ **W.P.(C) 7688/2023, CM APPLs. 29743/2023 & 60844/2023**

SANTOSH PATHAK Petitioner
versus

NEW DELHI MUNICIPAL COUNCIL Respondent

56

+ **W.P.(C) 7716/2023, CM APPLs. 29811/2023 & 60896/2023**

ALoke PERIWAL Petitioner

versus



- 57 NEW DELHI MUNICIPAL COUNCIL Respondent
+ **W.P.(C) 7739/2023, CM APPL. 29856/2023, CM APPL. 57744/2023**
DR TAMALI SEN GUPTA Petitioner
versus
- 58 NEW DELHI MUNICIPAL COUNCIL Respondent
+ **W.P.(C) 7886/2023, CM APPLs. 30362/2023, 58532/2023**
D. K. RUSTAGI Petitioner
versus
- 59 NEW DELHI MUNICIPAL COUNCIL Respondent
+ **W.P.(C) 8187/2023, CM APPLs. 31404/2023 & 60892/2023**
SHAILEN BHATIA Petitioner
versus
- NEW DELHI MUNICIPAL COUNCIL THROUGH ITS
CHAIRMAN & ANR. Respondents

(For Petitioners)

Through: Mr. Ashish Aggarwal, Advocate in Item No. 30, 31, 33 to 37.
Mr. Kaushil Dey, Advocate in Item No. 32.
Petitioner in person in Item Nos. 38 & 39.
Mr. A.K. Vali and Mr. Tuhin, Advocates in Item No. 57.
Mr. A.K. Vali, Mr. Bhaskar Vali, Mr. Rajat Jain, Mr. Sushant Shankar and Mr. R.K. Srivastava, Advocates in Item Nos. 40 to 56 & 58.
Mr. Rajesh Srivastava, Mr. Mayank Rustogi and Mr. J. Karan Malhotra, Advocates in Item No. 58.
Mr. Amit Jain and Mr. Sumit Kumar, Advocates in



Item No. 59.

(For Respondents)

Through: Ms. Puja S. Kalra, ASC for NDMC in Item Nos. 30 to 59.
Mr. Mohit Bhardwaj, Advocate for Delhi Fire Service in Item Nos. 30 to 59.
Mr. Shoumendu Mukherji, Sr. Panel Counsel with Ms. Megha Sharma and Mr. Aniruddha Ghosh, Advocates for R-2 in Item Nos. 30 to 32, 38 to 45 & 50 to 53.
Mr. Piyush Beriwal and Mr. Sandip Munian, Advocates for L&Do in Item Nos. 33 to 37 & 46 to 49.
Mr. R. Krishnaamorthi, Advocate for Intervenors in Item Nos. 30 to 59.
SI Prem Raj, P.S. Badarpur in Item No. 39.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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19.11.2024

CM APPL. 60843/2023 in W.P.(C) 5260/2023

CM APPL. 60900/2023 in W.P.(C) 5448/2023

CM APPL. 60869/2023 in W.P.(C) 5487/2023

CM APPL. 60834/2023 in W.P.(C) 5546/2023

CM APPL. 60857/2023 in W.P.(C) 5576/2023

CM APPL. 60884/2023 in W.P.(C) 5583/2023

CM APPL. 60874/2023 in W.P.(C) 5600/2023

CM APPL. 60891/2023 in W.P.(C) 5609/2023

CM APPL. 60847/2023 in W.P.(C) 5724/2023

CM APPL. 60849/2023 in W.P.(C) 5744/2023

CM APPL. 60830/2023 in W.P.(C) 5750/2023

CM APPL. 60909/2023 in W.P.(C) 5843/2023



CM APPL. 60904/2023 in W.P.(C) 5844/2023

CM APPL. 60902/2023 in W.P.(C) 5903/2023

CM APPL. 60872/2023 in W.P.(C) 5947/2023

CM APPL. 60836/2023 in W.P.(C) 6028/2023

CM APPL. 60862/2023 in W.P.(C) 6297/2023

CM APPL. 60839/2023 in W.P.(C) 6299/2023

CM APPL. 60841/2023 in W.P.(C) 6318/2023

CM APPL. 60882/2023 in W.P.(C) 6344/2023

CM APPL. 60866/2023 in W.P.(C) 6458/2023

CM APPL. 60876/2023 in W.P.(C) 6508/2023

CM APPL. 60898/2023 in W.P.(C) 7518/2023

CM APPL. 60832/2023 in W.P.(C) 7667/2023

CM APPL. 60878/2023 in W.P.(C) 7682/2023

CM APPL. 60845/2023 in W.P.(C) 7688/2023

CM APPL. 61048/2023 in W.P.(C) 7716/2023

CM APPL. 60893/2023 in W.P.(C) 8187/2023

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.

C.M. No. 67191/2023 in W.P.(C) 5724/2023

This is an application filed by the petitioner for condonation of delay of 81 days in filing of the rejoinder.

For the reasons stated in the application, and with the consent of learned counsel for the parties, the application is allowed and the delay is condoned. Rejoinder may be placed on record.

CM APPL. 60828/2023 in W.P.(C) 5576/2023

Respondent No. 1-New Delhi Municipal Council is directed to file



a reply to the application within the period of two weeks.

List on 06.02.2025.

W.P.(C) 5260/2023, W.P.(C) 5448/2023, W.P.(C) 5487/2023
W.P.(C) 5546/2023, W.P.(C) 5576/2023, W.P.(C) 5583/2023
W.P.(C) 5600/2023, W.P.(C) 5609/2023, W.P.(C) 5724/2023
W.P.(C) 5744/2023, W.P.(C) 5750/2023, W.P.(C) 5843/2023
W.P.(C) 5844/2023, W.P.(C) 5903/2023, W.P.(C) 5947/2023
W.P.(C) 6028/2023, W.P.(C) 6297/2023, W.P.(C) 6299/2023
W.P.(C) 6318/2023, W.P.(C) 6344/2023, W.P.(C) 6458/2023
W.P.(C) 6508/2023, ,W.P.(C) 7518/2023, W.P.(C) 7667/2023
W.P.(C) 7682/2023, W.P.(C) 7688/2023, W.P.(C) 7716/2023
W.P.(C) 7739/2023, W.P.(C) 7886/2023 W.P.(C) 8187/2023

1. By the order dated 16.05.2024, it was recorded as follows:

“1. Learned counsel for the respondent submits that the respondent seeks to adopt the counter-affidavit filed in W.P.(C) 5260/2023, in the all the connected matters as well, except in W.P.(C) 7739/2023 and W.P.(C) 7886/2023. Let copies of the same be supplied to the learned counsel for the petitioners in the connected matters, who shall be at liberty to file a rejoinder thereto before the next date of hearing.

2. Let counter affidavit be also filed in W.P.(C) 7739/2023 and W.P.(C) 7886/2023, within a period of 4 weeks.

3. List on 21.08.2024.

4. Interim subsisting order/s to continue.”

2. Despite this order, no counter affidavit has been filed by New Delhi Municipal Council [“NDMC”] in W.P.(C) 7739/2023 and W.P.(C) 7886/2023. At the request of Ms. Puja S. Kalra, learned Standing Counsel for NDMC, two weeks’ further time is granted, as a final opportunity, to file counter affidavits in these two writ petitions. Rejoinder thereto, may be, filed within one week thereafter.

3. Mr. A.K. Vali, learned counsel for the petitioners, in writ petition Nos. W.P.(C) 5724/2023, W.P.(C) 5744/2023, W.P.(C) 5750/2023, W.P.(C) 5843/2023, W.P.(C) 5844/2023, W.P.(C) 5903/2023, W.P.(C)



5947/2023, W.P.(C) 6028/2023, W.P.(C) 6297/2023, W.P.(C) 6299/2023, W.P.(C) 6318/2023, W.P.(C) 6344/2023, W.P.(C) 6458/2023, W.P.(C) 6508/2023, W.P.(C) 7518/2023, W.P.(C) 7667/2023, W.P.(C) 7682/2023, W.P.(C) 7688/2023, W.P.(C) 7716/2023, W.P.(C) 7739/2023, W.P.(C) 7886/2023, states that as the common counter affidavit has been filed, the petitioners will rely upon the same affidavit in rejoinder, filed in W.P.(C) 5724/2023.

4. At the request of Mr. Piyush Beriwal, learned counsel for the Land & Development Office, two weeks' further time is granted as a final opportunity for filing of the counter affidavit, failing which the Deputy Land & Development Officer will remain present in the Court on the next date of hearing.

5. I am informed that the petitioner in W.P.(C) 5487/2023 has passed away. At the request of learned counsel, who was appearing on his behalf, one week's time is granted for filing of an application to bring the legal heirs on record.

6. List on 06.02.2025.

7. C.M. No. 67216/2024 in W.P.(C) 7886/2023 is also disposed of in terms of this order.

8. Interim orders to continue until the next date of hearing.

PRATEEK JALAN, J

NOVEMBER 19, 2024/MR/AD/