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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 15090/2022 & CM APPL.46616-17/2022

M/S UPPAL HOUSING PVT. LTD. & ANR. Petitioners

Through: Mr Puneet Agarwal, Ms Purvi Sinha,
Mr Chetan Kumar Shukla & Ms
Mansi Khurana, Advs.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr Farman Ali, Sr. Panel Counsel
with Ms Usha Jorjnal & Mr Krishan
Kumar, Advs. for UOI
Mr Harpreet Singh, Sr. Standing
Counsel with Ms Suhani Mathur,
Adv. for R-2 to 4

CORAM:

HON'BLE MR JUSTICE RAJIV SHAKDHER

HON'BLE MS JUSTICE TARA VITASTA GANJU

ORDER

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01.11.2022

[Physical Hearing/Hybrid Hearing (as per request)]

CM No.46617/2022

1. Allowed, subject to the petitioners filing legible copies of the annexures, at least three days before the next date of hearing.

W.P.(C) 15090/2022 & CM No.46616/2022 [Application filed on behalf of the petitioners seeking interim relief]

2. This writ petition is directed, essentially, against two show-cause notices of even date i.e. 25.03.2022. [See Annexure P24 and P25.] Besides this, challenge is also laid to circular dated 11.11.2021.

2.1. There are other prayers also made, which, for the moment, we are not adverting to, in view of the submission made before us by Mr Puneet

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Agrawal, who appears on behalf of the petitioner, that there has been no pre-show cause notice consultation between the petitioner and the concerned authority.

3. That this procedural flaw is fatal is sought to be established by Mr Agrawal by relying upon the following judgments rendered by this court:

(i) ***Back Office IT Solutions Private Limited vs. Union of India and Ors.*** MANU/DE/0696/2021

(ii) ***Omaxe New Chandigarh Developers Pvt. Ltd. and Ors. vs. Union of India and Ors.*** MANU/DE/0672/2021.

4. Mr Harpreet Singh, senior standing counsel who appears on behalf of respondents no. 2 to 4, says that he will return with instructions.

5. In case instructions are received to resist the prayers made in the writ petition, a counter-affidavit will be filed before the next date of hearing.

6. List the matter on 10.11.2022.

7. In the meanwhile, the operation of the two show-cause notices marked as Annexure P24 and P25 dated 25.03.2022 shall remain stayed till the next date of hearing.

RAJIV SHAKDHER, J

TARA VITASTA GANJU, J

NOVEMBER 1, 2022/r

[Click here to check corrigendum, if any](#)

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