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

+ W.P.(C) 3635/2017 & CM No.38082/2018

OXFORD PUBLIC EDUCATIONAL SOCIETY (REGD.). Petitioner

Through : Mr. Sunil Gupta, Sr. Adv. with
Mr.Kamal Gupta and Mr. Vaibhav
Mehra, Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ORS Respondents

Through : Mr. Rajiv Bansal, Sr. Adv. with
Ms.Shahna Farah, Ms. Parul Panthi
and Mr. Anant Nigam, Advs. for
DDA.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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05.11.2019

CM No.38082/2018

1. This is an application filed on behalf of the DDA seeking recall of the order dated 02.11.2017, passed by Hon'ble Mr. Justice A.K. Chawla.
2. Mr. Rajiv Bansal, learned senior counsel, who appears on behalf of the DDA, says that the observations in the order were with respect to the rate which is to be charged with regard to the subject land that admeasures 43 sqr.mtrs., A decision in this behalf was required to be taken by the concerned Commissioner within four weeks.



3. Mr. Bansal says that the decision concerning the rate was, in fact, taken by the Lieutenant Governor even prior to the date of the order i.e. on 07.04.2015 and, therefore, the direction contained in the order was in one sense inefficacious.

4. In my opinion, what Mr. Bansal says is correct as this is an aspect which emerges from the record as well and, therefore, all that can be said is that the direction contained in the order dated 02.11.2017 will not impact the adjudication of the writ petition.

5. As a matter of fact, the issue in the writ petition is precisely this, which is, what is the rate which is to be charged vis-à-vis 43 sqr.mtrs. of land?

6. The application is disposed of with the aforesaid observations.

W.P.(C) 3635/2017

7. It is already 05:30 pm. The matter cannot be heard today.

8. Learned counsel for the parties will file their written submissions not exceeding three pages each before the next date of hearing.

9. Renotify the matter on 29.04.2020.

RAJIV SHAKDHER, J

NOVEMBER 05, 2019

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