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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9089/2014**
VED PARKASH

..... Petitioner

Through Ms. Geeta, Advocate with Mr. Rahul
Saini grandson of the petitioner

versus

MUNICIPAL CORPORATION OF DELHI & ANR

..... Respondents

Through Mr. Mini Pushkarna, Standing
Counsel with Ms. Yoothica Pallavi,
Ms. Anushruti and Ms. Namrata,
Advocates for R1 and R2

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
25.07.2016

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CM No. 3222/2015

This petition was disposed of on 24.12.2014. The present application has been filed for modification of this order.

Learned counsel for the respondents points out that an undertaking had been furnished by the petitioner way back on 24.12.2014 that he will hand over the vacant and peaceful possession of land in question to respondent on or before 01/02/2015. Submission being that on one pretext or the other the matter is delayed by the petitioner. Additional submission is that in an earlier order passed by the Court dated 15.05.2015 it had been recorded that respondent had now taken over possession of vacant land comprising

of 10 bighas and 4 biswas on 28.04.2015 and this is pursuant to an acquisition award bearing no. 1556 dated 03.04.1963 passed in favour of the respondent wherein this land was acquired. Submission being reiterated that nothing else survives in this application.

This Court notes that prayer made in the writ petition was laying a challenge to the order passed by the learned District Judge which was passed on 13.02.1992 in an appellate jurisdiction over the impugned order passed by the Estate Officer.

Noting all these contentions that the Bench of this Court on 24.12.2014 had recorded the undertaking of the petitioner that he will hand over the vacant possession of the suit land to the respondent and noting the subsequent development in the instant case which is to the effect that on 28.04.2015 the physical possession has been taken over by the respondent, nothing else survives in this application.

Application disposed of in the above terms.

INDERMEET KAUR, J

JULY 25, 2016

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