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

+ **W.P.(C) 724/2011**

ARPANA KAPOOR

..... Petitioner

Through: Mr C. M. Oberoi and Ms Surekha,
Advocates.

versus

NDMC AND ORS

..... Respondents

Through: Ms Sakshi Popli, Advocate for
NDMC.
Mr R. C. S. Bhadoria and Mr Pravesh
Sharma, Advocates for R-2 & 3.

AND

+ **W.P.(C) 720/2011**

ARPANA KAPOOR

..... Petitioner

Through: Mr C. M. Oberoi and Ms Surekha,
Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.

..... Respondents

Through: Ms Sakshi Popli, Advocate for
NDMC.
Mr R. C. S. Bhadoria and Mr Pravesh
Sharma, Advocates for R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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04.02.2015

The learned counsel for the respondents had drawn the attention of this Court to a judgment of the Hon'ble Supreme Court titled as Amrik Singh Lyallpuri v. Union of India: Civil Appeal No.5075/2005 decided on 21.04.2011. They contend that by virtue of para 25 of the said judgment, an appeal against the order of the MCD would lie before the District Judge.

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The learned counsel appearing for the petitioner states that he would be willing to approach the Appellate Authority, if the Appellate Authority could consider the appeal by condoning the delay.

In the given circumstances, the petition is disposed of with a direction that if the petitioner approaches the Appellate Authority (i.e. the concerned District Judge) within a period of four weeks from today, the petitioner's appeal shall be considered on merits uninfluenced by the question of delay.

Dasti.



VIBHU BAKHRU, J

FEBRUARY 04, 2015
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