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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 337/2015**

NARINDER PAUL KAUSHIK Appellant
Through : **Mr. R.N. Sundar Rao, Mr.Nimesh**
Chib, Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ANR..... Respondents
Through : **None.**

CORAM:
HON'BLE MS. JUSTICE GITA MITTAL
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% 23.05.2016

CM No. 19646/2016 in LPA 337/2015

1. The instant LPA was disposed of by our order dated 16th October, 2015. CM No. 23944/2015 in the LPA seeking clarification of our order dated 8th September, 2015 was filed by the respondents/applicants. The application was disposed of on 16th October, 2015 with the direction that the writ court would pass an appropriate orders for restitution or payment of the balance, if any, found due and payable to the appellant upon final consideration.
2. In these circumstances, in our view, the relief sought by way of this application is best sought before the writ court, where the matter is still pending before the learned Single Judge.
3. Learned counsel for the appellant submits that the appellant apprehends a forcible and illegal eviction from the premises/accommodation allotted to him. It is further submitted that in case, it is finally held that he is

not entitled to any accommodation, he shall pay all the charges as may be required to be paid in accordance with the rules. This statement is taken on record and the appellant shall remain bound by the same.

4. In view of above, this application is dismissed as withdrawn with liberty to the appellant to approach the learned Single Judge for appropriate relief by way of appropriate application before the learned Single Judge. Such an application be filed before the learned Single Judge within a week from today.

5. In case, the application is so filed and listed within a week, the appellant shall not be evicted from his official accommodation for a period of eight weeks from today.

6. This application is disposed of in the above terms and subject to further orders as may be passed by the learned Single Judge.

GITA MITTAL, J

I.S.MEHTA, J

MAY 23, 2016

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