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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1319/2016

M/S HOOGHLY HOLDINGS PVT. LTD.

..... Petitioner

Through Mr Kailash Vasdev, Senior Advocate
with Ms Bindu Saxena, Mr K.K. Patra and Ms
Aparajita Swarup, Advocates.

versus

THE NEW DELHI MUNICIPAL COUNCIL & ORS..... Respondents

Through Mr Arjun Mitra and Mr Abhishek
Mishra, Advocate for NDMC and Mr Hardeep,
Junior Assistant from NDMC.
Mr Sanjeev Naruja, CGSC with
Mr Sarfaraz Ahmad, G.P. Advocate for R3.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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17.02.2016

CM 5766/2016

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 1319/2016 & CM 5765/2016

3. Mr Kailash Vasdev, learned Senior Counsel for the Petitioner, on instructions, seeks leave to withdraw this petition with liberty to file an appeal against the order dated 12th December 2012 passed by the

Respondent No. 1 under Section 72 of the New Delhi Municipal Council Act, 1994 ('NDMC Act') in accordance with law.

4. In the event of an appeal being filed by the Petitioner, the concerned authority while considering such appeal will also take into consideration for the purposes of condonation of delay the fact that the Petitioner has been making representations. The right of the Respondent to object to the condonation of delay is also reserved.

5. The writ petition and the application are dismissed as withdrawn with liberty as prayed for.

S.MURALIDHAR, J

VIBHU BAKHRU, J

FEBRUARY 17, 2016

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