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

+ LPA 210/2016 and CM No. 11566/2016

SHAMIM

..... Appellant

Through: Mr Anoop P.S. and Mr Deepak Khosla,
Advs.

versus

PUNEET KUMAR & ORS

..... Respondents

Through: Mr Rajan Tyagi and Mr Desh Deepak,
Advs for respondents No. 2 to 4

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **30.03.2016**

The only relief sought in this appeal is for a direction that the appeal pending before the MCD Appellate Tribunal under Section 343 of Delhi Municipal Corporation Act (Appeal No. 399/2015 Farida Begum vs. South Delhi Municipal Corporation) should not be prejudiced on account of the observations made in the impugned order.

This Court notices that the appeal before the Tribunal was preferred in July, 2015, i.e., prior to the filing of the writ petition by third party. In the circumstances, the Appellate Tribunal shall proceed to hear the matter before it on merits without being influenced by the directions or observations of the learned Single Judge. In case the Appellate Tribunal is of the opinion that any interim order is required—for a limited duration or during the pendency of the appeal

before it, it shall proceed to make it—again uninfluenced by the observations of the learned Single Judge in W.P.(C) No. 1671/2016.

The appeal is allowed to the above extent. All rights and contentions are reserved.

Pending application stands disposed of.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

MARCH 30, 2016

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