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

+ W.P.(C) 5295/2016 & CM No.22137/2016, 22138/2016 &
22139/2016

SARANJIT SINGH CHADHA AND ANR Petitioners
Through: Mr. Sudhir Nandrajog, Sr. Adv. with
Mr. Amit Kumar Mishra and Mr.
Prakash Singh, Advs.
versus

SOUTH DELHI MUNICIPAL
CORPORATION AND ANR Respondents
Through: Ms. Puja Kalra, Adv. for SDMC.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
01.06.2016

CM No.22137/2016 & 22138/2016

Allowed, subject to just exceptions.

W.P.(C) 5295/2016

1. Issue notice. Learned counsel for the respondents accepts notice.
2. Learned counsel for the respondents has handed over the status report which is taken on record. Learned counsel for the respondents has handed over the copies of the relevant show cause notices and the demolition orders which are taken on record. Copies of the same have been furnished to the learned senior counsel for the petitioner in Court.
3. Learned senior counsel for the petitioner on instructions seeks permission to withdraw this writ petition with liberty to prefer an appeal before the Appellate Tribunal under Section 347-B of Delhi Municipal Corporation Act within a period of 10 days. Learned senior counsel for the petitioner submits that the petitioner shall approach the Appellate Tribunal

on the basis of copies of the show cause notices and the demolition orders handed over to him in the Court today. Learned senior counsel for the petitioner further submits that the petitioner is within limitation to challenge the show cause notices and the demolition orders, copies whereof have been handed over to him in the Court today.

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 The writ petition and the pending application are dismissed as withdrawn with liberty as prayed for.

5. The respondent shall withhold further demolition action for a period of 10 days to enable the petitioner to approach the Appellate Tribunal. This Court has not examined the petitioner's case on merits and the learned Tribunal would be at liberty to vary, modify or vacate the order after hearing the parties and having regard to the totality of circumstances.

6. Copy of this order be given *dasti* to learned counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

JUNE 01, 2016

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