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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 7408/2016

SURESH KUMAR JAWA

..... Petitioner

Through: Petitioner in person.

versus

DELHI DEVELOPMENT AUTHORITY & ORS. Respondents

Through: Mr. Arun Birbal, Advocate with

Mr. Sanjay Singh, Advocate for DDA.

Mr. Vivek Goyal, Advocate for
respondent No.3/UOI.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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22.08.2016

CM Appl. 30438/2016 (exemption) in W.P.(C) 7408/2016

Allowed, subject to just exceptions.

W.P.(C) 7408/2016 & CM Appl. 30437/2016

Though the present writ petition has been filed challenging the judgment dated 18th July, 2016 passed by Appellate Tribunal, MCD, as well as for possession of a full size shop, yet this Court is of the view that the averments with regard to arbitrary reduction of the size of the shop cannot be considered in a writ petition as several disputed questions of fact arise for consideration.

At this stage, petitioner, who appears in person, states that he confines his relief to setting aside the judgment dated 18th July, 2016 passed by the

Appellate Tribunal, MCD.

Since an appeal is maintainable against the order of the Appellate Tribunal, MCD, this Court is of the opinion that the petitioner has an alternate effective remedy.

Consequently, present writ petition and application are dismissed with liberty to the petitioner to file an appeal against the said order.

In the event, the said appeal is filed within a period of four weeks, the same shall not be dismissed on the ground of limitation.

Order dasti.

MANMOHAN, J

AUGUST 22, 2016

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