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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 45/2015 & C.M. No.944/2015

GOAN SABHA JHARODA MAJRA BURARI & ORS

..... Petitioners

Through Mr. Santosh Kumar Tripathi, ASC,
GNCTD

versus

VINAY TYAGI & ANR

..... Respondents

Through Mr. Sharvan Dev, Advocate

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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27.01.2016

Gaon Sabha Jharoda Majra Burari, petitioner before this Court has challenged the order dated 28.10.2014 by which the Trial Court had granted permission to the plaintiff (Vinay Tyagi and Anr.) to reconstruct their alleged illegal constructed portion of their school situated in the suit premises bearing No. 65, Village – Jharoda, Majra-Burari, Delhi. While granting permission to the plaintiffs on the application filed by them the Court had made a clear observation that the merits of the case will remain un-effected and since the facts of the case has suggested that the possession of the suit premises which existed at the time of the filing of the present suit ie. on 21.06.2014 should be relegated and the demolition had taken place in this intervening period, the plaintiffs should be entitled to the benefits of that order. Further direction has been given to the defendants (Gaon

Sabha Jharoda Majra Burari) to get the proceedings before the concerned SDM expedited.

Learned counsel appearing for the petitioners submits that the reconstruction has already been carried out and as such this petition vide which he had impugned the order has become more or less infructuous.

Noting the above factual matrix, this petition is disposed of as having become infructuous.

INDERMEET KAUR, J

JANUARY 27, 2016

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