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

+ W.P.(C) 11157/2015 & CM No. 28985/2015

M/S JAI SHRI KHATU SHYAM STORE Petitioner

Through: Mr. Yogesh Kumar, Advocate

versus

THE SPECIAL COMMISSIONER DEPARTMENT
OF FOOD & SUPPLIES AND ORS.

..... Respondents

Through: Mr. Sanjay Ghose and Ms. Pratishtha
Vij, Advocates

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **18.02.2016**

The dispute involved in the present writ petition is whether the shop premises of the petitioner was in existence as on 15th December, 2014, i.e., on the last date of the application.

Vide order dated 1st December, 2015, this Court had directed the petitioner to place on record conclusive document like the Completion Certificate or the date of sanction of the plan for construction of the said shop.

Today, learned counsel for the petitioner states that as the entire Kunwar Singh Nagar, Nangloi, Delhi is an unauthorized colony neither any sanction was granted nor any Completion Certificate was obtained.

Keeping in view the aforesaid, this Court is of the view that the disputed questions of fact arise for consideration, which can only be decided after the parties have led their evidence. Consequently, present writ petition and application are dismissed. However, the petitioner is given liberty to file appropriate proceedings in accordance with law. Rights and contentions of all parties are left open.

MANMOHAN, J

FEBRUARY 18, 2016
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