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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LPA 69/2017

VIKAS VYAPAR MANDAL & ORS

..... Appellants

Through: Mr. Kirti Uppal, Sr. Advocate with Mr.
Arjun Singh Bhati & Mr. Shashank
Saxena, Advocates.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through: Ms. Jyoti Taneja, Advocate for R-1.
Mr. Mukesh Gupta, Standing Counsel
with Mr. Chetan Gupta & Mr. Prayag
Jain, Advocates for MCD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

30.01.2017

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We have heard the learned counsel for both the parties.

Having regard to the fact that the main petition is still pending, without expressing any opinion on merits of the case, we consider it appropriate to dispose of the appeal with the following directions:

- (i) Respondent No.2/North Delhi Municipal Corporation whose action in awarding the contract in favour of the respondent No.3/Natraj Construction Company is under challenge in the writ petition shall file the counter affidavit within a week. Shri Mukesh Gupta, the learned Standing Counsel for NDMC undertakes to file the counter affidavit in the main petition on or before 06.02.2017.
- (ii) The writ petition be listed before the learned Single Judge on 15.02.2017. We request the learned Single Judge to hear both the parties and pass an appropriate order in accordance with law on the application for stay at the earliest.

(iii) The date already fixed as 29.03.2017 in the writ petition shall stand cancelled.

Appeal is accordingly disposed of.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

JANUARY 30, 2017/gr