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

+ W.P.(C) 2329/2017 & C.M. No.9971/2017

NIYAZ AHMED Petitioner

Through Mr.Sunny Arora, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION Respondent

Through Ms.Reema Khorana, Adv.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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27.03.2017

Learned counsel for the respondent points out that the question raised in this writ petition was also a subject matter of the civil suit filed by the petitioner in the Court of a Senior Civil Judge where a suit for permanent and mandatory injunction was filed. The aforesaid suit has been dismissed after a detailed judgment and thus, the present writ petition is not maintainable.

The matter was passed over once to enable the learned counsel for the petitioner to look into the matter and take instructions from his client. At the second call, the counsel for the petitioner submits that he wishes to withdraw the writ petition as he would assail the order passed by the Senior Civil Judge in the appropriate Court of proceedings. He further submits that in case the appeal is beyond the period of limitation, he would move an application under Section 14 of the Limitation Act.

As prayed, the writ petition as also the pending application are dismissed as withdrawn.

G.S.SISTANI, J.

VINOD GOEL, J.

MARCH 27, 2017/ka/