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

+ LPA 211/2017 & C.M.No.12455/2017 (*stay*)

DEVENDER KUMAR Appellant
Through: Mr.S.Shantanu, Adv. with
Mr.P.Shanker, Mr.A.Shivani, Advs.
Versus

SOUTH DELHI MUNICIPAL
CORPORATION & ANR Respondents
Through: Mr.Rajan Tyagi, ASC with
Mr.Mandeep Arora, Adv. for R-1/SDMC.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% 29.03.2017

C.M.No.12456/2017 (exemptions)

Allowed subject to all just exceptions.

C.M.No.12454/2017 (delay in filing)

Heard.

In view of the facts and circumstances explained, the delay in filing the appeal is condoned and the application is disposed of.

LPA No.211/2017

1. We have heard the learned counsel for both the parties.
2. We found that the order passed by the learned Single Judge which is under challenge in the present appeal is innocuous and warrants no interference since the learned Single Judge had merely recorded the statement of the learned counsel for the SDMC that action would be taken “in accordance with law”. Even assuming that the SDMC failed to follow the procedure contemplated under law, according to us, it gives rise to a new

cause of action and, therefore, if aggrieved, it is for the appellant to avail the appropriate remedy available under law for redressal of his grievance.

3. The appeal is, accordingly, disposed of.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

MARCH 29, 2017

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