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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4000/2017**

M/S NEWTECH VILLA PRIVATE LIMITED Petitioner
Through **Mr. Chetan Sharma, Sr. Adv. with**
Mr. Anuj Garg and Mr. Amit Gupta,
Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS
..... Respondents
Through **Ms. Arti Bansal, Adv. for SDMC.**
Mr. Manmeet Singh Arora, Adv. for
R-3 & R-4.

CORAM:
HON'BLE MR. JUSTICE A. K. CHAWLA
ORDER
% **13.07.2017**

CM No. 21170/2017 (direction)

By the application, the petitioner, in a disposed off writ petition, seeks certain directions to the respondents as regards the applicability of Delhi Laws (Special Provisions)(Second Amendment) Act, 2014 to the premises, subject matter of the petition. The writ petition was disposed off on 11.5.2017 with the order, the operative portion whereof, is as under :

“3. The petitioner has remedy of appeal against the order dated 9th May, 2017 served on the petitioner today in Court. The writ petition is therefore disposed of with liberty to the petitioner to avail the remedy of appeal against the order dated 9th May, 2017. The petitioner shall compute the period of

limitation for filing the appeal from today. Respondent no.1 shall not take any coercive action against the petitioner during the period of limitation for filing the appeal.”

In view of the fact that while disposing off the writ petition, liberty was granted to the petitioner to approach AT, MCD, it goes without saying, the question sought to be agitated, can be agitated before AT, MCD. Mr. Sharma, strenuously contends that the respondent giving go-bye to the statutory provisions of the said special enactment, is coming back again and again to carryout demolition in contravention of the protection given thereunder. Petitioners are at liberty to press for an appropriate relief there-against before AT, MCD and for the purpose, an expeditious hearing shall be given by AT, MCD. Application stands disposed off accordingly.

CM No. 21171/2017 (stay)

Dismissed.

A. K. CHAWLA, J

JULY 13, 2017

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