

\$~46

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8362/2017 & CM APPL. 34477/2017
AMIT KUMAR Petitioner

Through Mr. Vipin K. Singh, Adv.
versus

SOUTH DELHI MUNICIPAL CORPORATION Respondent
Through Mr. Nikhil Goel and Mr. Ashutosh
Ghade, Advs.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **19.09.2017**

Petitioner has filed the instant petition seeking quashing of the vacation notice under Section 349 of DMCT Act, 1957 dated 11.9.2017. Mr. Singh, ld. counsel for the petitioner strenuously contends that no demolition order has come to be served in pursuance whereof, the impugned vacation notice dated 11.9.2017 has come to be issued. Ld. counsel for the respondent on his part however, submits that the demolition order was passed way back on 5.4.2016 and duly served upon the petitioner. Copy of such order has come to be supplied to the ld. counsel for the petitioner during the course of hearing. In view thereof, ld. counsel for the petitioner seeks to withdraw the instant petition with the liberty to prefer a statutory appeal against the demolition order inasmuch as, according to him, such demolition order was never served upon the petitioner, which is refuted to on the part of the respondent-SDMC.

Dismissed as withdrawn, as prayed.

A. K. CHAWLA, J

SEPTEMBER 19, 2017/rc