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

Judgment pronounced on: 26.02.2018

+ W.P.(C) 408/2018 & CM No.1751/2018

MADAN MOHAN BANGA

..... Petitioner

Through : Mr. Prashant Sharma, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through : Mr. Jawahar Raja, ASC, GNCTD for
R-1.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

RAJIV SHAKDHER, J. (ORAL)

1. By virtue of this writ petition, challenge is laid to the order dated 27.12.2017. This order, though adverts to the fact that the proceedings were adjourned to 10.1.2018.
2. On the last date of hearing, I had asked learned counsel for the petitioner to place on record the proceedings of 10.1.2018. Learned counsel for the petitioner says that no order was passed on 10.1.2018.
 - 2.1 It is submission of learned counsel for the petitioner that though the matter was fixed on 10.1.2018, the order, was passed by the concerned Tribunal on 12.1.2018. Copy of this order has been placed on record.
3. A perusal of order dated 12.1.2018 would show that the matter concerning the petitioner and respondent no.2/ Smt. Jaimeet Banga, who is his daughter-in-law, has been fixed for final arguments on 14.3.2018.
4. Given these facts, learned counsel for the petitioner says that, at

present, the only direction which the petitioner seeks is that the matter be heard and disposed of on the said date.

5. It appears on perusal of the order dated 12.1.2018 that the petitioner is impeding compliance of order passed by the Tribunal which required him to allow re-entry of respondent no.2/ Smt. Jaimeet Banga.

6. I am informed by learned counsel for the petitioner that the respondent no.2/ Smt. Jaimeet Banga has now gained entry in the subject property.

6.1 Learned counsel for the petitioner, however, concedes that costs imposed by the order dated 12.1.2018 have not been paid. Counsel for the petitioner assures the Court that costs will be paid on or before the next date of hearing before the Tribunal.

7. Accordingly, the writ petition is disposed of with a direction to the concerned Tribunal to hear and dispose of, if possible, the main matter on 14.3.2018 or, immediately thereafter. The petitioner will also, as directed by the Tribunal, deposit the costs of Rs.5,000/- on or before 14.3.2018.

7.1 Needless to say, nothing observed hereinabove will impact the merits of the case pending before the Tribunal.

8. The writ petition is disposed of in the aforementioned terms. Pending application shall stand disposed. No costs.

RAJIV SHAKDHER
(JUDGE)

FEBRUARY 26, 2018

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