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

+ RSA 62/2017 & CM APPL.7179/2017, CM APPL.11100/2017

AHMAD

.....Appellant

Through: Mr. Rajender Chhabra, Advocate.

versus

THE EXECUTIVE ENGINEER (PWD) & ORS Respondents

Through: Mr. Arjun Mitra, Ms. Jaskaran Kaur,
Advocates for respondent Nos. 1 and
3 with Mr. Ram Prakash, (AE) and
ASI Karambir, PS North Rohini.
Mr. Ram Kumar, Advocate for
respondent No. 2.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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15.01.2018

CM 11100/2017

This is an application seeking transfer of the matter to specially constituted bench dealing with Street Vendors Matters.

As the matter is already listed before the respective bench, the present application is not pressed.

Accordingly the present application is dismissed as not pressed.

RSA No.62/2017

This regular second appeal arises from a judgement and decree dated 24.10.2016 passed by the Additional District Judge whereby the judgement dated 22.04.2011 passed by the ASCJ (North) was affirmed by which the

suit filed by the appellant was dismissed.

Mr. Chhabra, learned counsel for the appellant points out that an alternative site has been allotted to the appellant which the appellant would accept under protest as according to him, the site is not viable. He further submits that the appellant is a handicaped person and is finding it extremely difficult to make both ends meet, and would thus accept the alternative site for running a PCO booth. In the meanwhile, he submits that since the alternative site has been allotted, he would not press the present appeal but would seek such remedy as available to him according to law including by moving a representation to the MCD to consider his case sympathetically and in case the representation is not decided in his favour, he would seek an appropriate remedy.

In view of the stand so taken by the learned counsel for the appellant, the present appeal is dismissed as not pressed in above terms.

Leave is granted, as prayed.

CM 7179/2017

In view of the order passed in the RSA, the present application is dismissed.

G. S. SISTANI, J

SANGITA DHINGRA SEHGAL, J

JANUARY 15, 2018
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