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

+ **W.P.(C) 1938/2018**

**GALI BADLIYAN RESIDENT
WELFARE ASSOCIATION**

..... Petitioner

Through: Mr. Mohd. Waseem Khan, Advocate

versus

**THE COMMISSIONER NORTH MUNICIPAL
CORPORATION & ORS**

..... Respondents

Through: Ms. Mini Pushkarna, Standing
Counsel, NDMC with Ms. Swagata
Bhuyan and Ms. Shiva Pandey,
Advocates for R-1
Mr. Mohd. Sajid, Advocate for R-3 &
R-4

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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20.07.2018

CM APPL.28475/2018

The present application under Section 151 of the Code of Civil Procedure, 1908 has been instituted on behalf of applicant/respondent No.3, predicated on the circumstance that a statutory appeal in relation to the subject property is pending adjudication before the Appellate Tribunal, MCD.

Issue notice.

Counsel, as above, accept notice on behalf of the non-applicants.

Learned counsel appearing on behalf of the non-applicant/petitioner states that he has no objection in the present application being allowed and the writ petition being dismissed subject to his being granted liberty to institute appropriate proceedings, in accordance with law, before the Appellate Tribunal, MCD.

In view of the foregoing reasons, which are duly supported by an affidavit, the application is allowed and disposed of accordingly.

W.P.(C) 1938/2018, CM APPL.17071/2018 & CM APPL.21565/2018

In view of the order passed today in CM APPL.28475/2018, learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition with liberty to file appropriate proceedings, in accordance with law, including impleadment in the statutory appeal, pending before the Appellate Tribunal, MCD, if so permissible.

Leave and liberty granted.

The petition is dismissed as withdrawn and disposed of accordingly. The pending applications also stand disposed of.

The date already fixed i.e. 05.10.2018, stands cancelled.

SIDDHARTH MRIDUL, J

JULY 20, 2018

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