

\$~19

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

+ W.P.(C) 1992/2018, CM No. 9180/2018

NARESH AND ORS.

..... Petitioners

Through: Ms. Neha Kapoor, Adv.

versus

SDMC

..... Respondent

Through: Mr. Mukesh Gupta, Standing Counsel
for SDMC with Ms. Shashi Gupta,
Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

%

04.05.2018

CM No. 9180/2018

This is an application filed by the petitioners with the following prayers:

“It is most humbly prayed that this Hon’ble Court may kindly be pleased to:-

(A) *allow the present application and restrain the respondent from carrying out any demolition action on the said property of the petitioners as mentioned in the writ petition till such time their appeals are heard on merits by the Appellate Tribunal MCD at Tis Hazari Courts, Delhi.*

(B) *Pass any other further order as this Hon’ble Court may deem fit and proper in the facts of the case”.*

The petition was disposed of by this Court on March 01, 2018

directing the petitioners to approach the ATMCD. It is the case of the petitioners, the appeal could not be heard as the post of Presiding Officer is vacant. I have been informed by the learned counsel for the petitioners that the date of hearing before the ATMCD is May 15, 2018 and also the Presiding Officer has been appointed.

If that be so, the parties shall appear before the Tribunal on that date when the Tribunal shall hear the appeal / stay application filed by the petitioners, *de-novo* without being influenced by the protection granted by this Court on March 01, 2018.

The application stands disposed of.

Till May 15, 2018, the protection granted by this Court on March 01, 2018 shall continue. The parties shall produce a copy of this order for perusal and consideration of the Tribunal.

Dasti.

V. KAMESWAR RAO, J

MAY 04, 2018/aky