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

+ W.P.(C) 2229/2018, CM No. 9206/2018

MANMOHAN SHARMA AND ANR. Petitioners

Through: Mr. Mishal Johari and
Mr. Manish Kaushik, Advs.

versus

EAST DELHI MUNICIPAL CORPORATION THROUGH:
COMMISSIONER

..... Respondent

Through: Mr. Tushar Sannu and Ms. Ankita,
Adv. for EDMC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **04.05.2018**

The present petition has been filed by the petitioners with the following prayers:

“In view of the facts above, it is most respectfully prayed that this Hon’ble Tribunal may kindly be pleased to:

a. Quash the purported action of demolition by the respondents of the portion of petitioners being Part A and Part B in GF, FF, SF and TF of 10/1166, Gali No.2, Rajgarh, Gandhi Nagar, Delhi without due process of law as informed by them under status report dated 27.2.18 and extend the benefit of Delhi Laws (Special Provisions) Second Act, 2011 As Extended;

b. Give right of hearing applicant before any order of action adverse to be petitioners is proposed.

Pass any other order / orders which this Hon’ble Court may deems fit and proper in the facts and circumstances of the case.”

Learned counsel for the petitioners concede that the remedy for the petitioners against the action of demolition order of the respondent is to approach the ATMCD. He states, the petitioners are ready and willing to approach the ATMCD within two weeks.

Noting the said statement, directing the petitioners to file an appeal on or before May 18, 2018 before the ATMCD, the petition is disposed of. The Tribunal shall consider the appeal / stay application to be filed by the petitioners *de-novo* without being influenced by the protection granted by this Court. The interim protection granted by this Court on March 09, 2018 shall continue till that date. The parties shall produce this order before the ATMCD for its perusal and consideration.

CM No. 9206/2018 (for stay)

The application has become infructuous. The same is disposed of as such.

V. KAMESWAR RAO, J

MAY 04, 2018/aky