

\$~57

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

+ LPA 107/2018, C.M. APPL.9788/2018 & 9789/2018

M/S. WAMIKI HOSPITALITY PVT. LTD. Appellant
Through : Sh. Mukesh Anand, Advocate.

versus

EAST DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents
Through : Sh. Sanjeev Sabharwal, Standing
Counsel with Sh. Hem Kumar, Advocates.
Sh. G.D. Mishra, Standing Counsel with Sh. Vinit
Gautam, AO/RP Cell, EDMC.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

%

13.03.2018

This appeal is directed against the refusal by the learned Single Judge to further extend the time granted by the final order dated 15.01.2018, to the appellant. The appellant had occupied an area measuring 10,000 square yards; the allotment was cancelled but was subject to litigation. The appellant had enjoyed interim relief and under the protection of such order, continued to occupy the premises. On 15.01.2018, the writ petition was dismissed and the appellant was granted time to vacate the premises on or before 13.03.2018 and further directed to clear all dues payable to the East Delhi Municipal Corporation (EDMC). Learned counsel for the appellant has handed

over a draft for ₹21,75,000/- to the learned counsel for the EDMC in compliance with the directions to pay the balance charges.

Having heard learned counsel for the parties and considering the materials on record, including the photograph of the premises, the Court is of the opinion that in case the petitioner furnishes an undertaking within 24 hours by way of affidavit to hand over vacant and peaceful possession of the property to the EDMC on or before 21.03.2018, the time should be appropriately extended.

A direction is accordingly issued that in the event such an undertaking is furnished by 04.30 P.M. tomorrow and filed in the Court with a copy to the EDMC, the time to vacate the premises shall stand extended to 21.03.2018 by 05.00 P.M.

The appeal is disposed of in the above terms.

Order *dasti* under the signatures of the Court Master.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

MARCH 13, 2018/ajk