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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 205/2018

D R S R S MISSION SCHOOL

..... Appellant

Through: Mr K.P. Sundar Rao and Mr Nimish Chib,
Adv.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through: Mr Yatender Sharma, Adv for Respondents
3 to 5

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **16.04.2018**

CAV 320/2018

Since the caveator has put in appearance, the caveat stands discharged.

LPA 205/2018, CM APPL. 14597/2018 (for placing additional documents on record), CM APPL. 14598/2018 (exemption), CM APPL. 14599/2018 (Stay)

The principal grievance urged on behalf of the appellant is that the impugned order dated 05.02.2018 was rendered without issuing notice to them and in view thereof, the present is a fit case for remanding the matter back for adjudication *de novo* after affording an opportunity of being heard to the appellant.

In this matter, it is an admitted position that a copy of the writ petition, which resulted in the passing of the impugned order, had not been served upon the appellant.

In this view of the matter, with the consent of learned counsel

appearing on behalf of respondent Nos.3 to 5, the impugned order is set aside and the matter is remanded back to the learned Single Judge for consideration afresh, in accordance with law.

Needless to state that the appellant shall be afforded an opportunity to file his response to the writ petition and make all legal submissions as may be available to them in accordance with law.

With the above direction, the appeal along with the pending applications is disposed off.

List the writ petition before learned Single Judge on 25.04.2018.

It is further directed that in view of the exigency expressed in the matter, the learned Single Judge may not grant unwarranted adjournments to the parties.

SIDDHARTH MRIDUL, J

REKHA PALLI, J

APRIL 16, 2018

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