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

+ W.P.(C) 2650/2018, CM No. 10842/2018

SH. JITENDER KASHYAP

..... Petitioner

Through: Ms.Kusum Lata Sharma, Adv.

Versus

NORTH DELHI MUNICIPAL CORPORATION Respondent

Through: Mr.Ajjay Aroraa, Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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04.05.2018

W.P.(C) 2650/2018

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

“It is, therefore, respectfully prayed to this Hon’ble Court to please pass appropriate orders thereby setting aside/quashing the demolition order dated 28.2.2018 passed by the Assistant Engineer (B), Karol Bagh Zone, New Delhi of the Respondent in respect of property no. 9955 and 9956/XVI, Sarai Rohilla, New Rohtak Road, New Delhi-110005, in the interest of justice.

Pass any other order or relief as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case in favour of the petitioners and against the respondent”.

When the matter was listed on April 4, 2018, this court had passed the

following order: -

“It is the case of the petitioner that he has filed an appeal before the Appellate Tribunal MCD. Since the same is not functioning, the appeal could not be heard. As I have adjourned similar matters to 25th April, 2018, re-notify the matter on 25th April, 2018. Till the next date of hearing no coercive action shall be taken against the petitioner.”

Learned counsel for the petitioner states that the appeal has been filed before the ATMCD and the next date fixed is June 1, 2018. If that be so, the parties are relegated to the ATMCD. They shall appear before the ATMCD on June 1, 2018, on which date, the ATMCD shall hear the appeal / stay application, de-novo without being influenced by the protection granted by this Court on April 04, 2018. The protection granted on April 4, 2018 by this Court shall continue till June 1, 2018. The parties shall produce this order before the ATMCD for its perusal and consideration. The petition is disposed of.

Dasti.

CM No. 10842/2018 (stay)

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

V. KAMESWAR RAO, J

MAY 04, 2018/akb