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

+ **W.P.(C) 3750/2018, CM No. 14857**

V. M. SINGH

..... Petitioner

Through: Mr. Arjun Harkauli and
Mr. Vardaan Wanchoo, Advs.

versus

SOUTH MUNICIPAL CORPORATON AND ANR.

..... Respondents

Through: Mr. V. Madhukar, Adv. for R1

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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07.05.2018

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

“It is therefore, most respectfully prayed that this Hon’ble Court may be pleased to:

- (i) *Quash and Set aside the Demolition order dated 06.10.2017 including Show Cause notice bearing No. 147/U/C/B-I/8417 dated 04.05.2017, the Letter bearing No. D-890-AE(B)/SZ/2017 and Vacation order dated 02.01.2018 and all proceedings emanating there from including any Demolition Notice, Vacation Notices etc. qua the property in question i.e. rear portion of basement, rear portion of ground floor, first floor, second floor and third floor of property No. W-127, GK-II, New Delhi-110048.*
- (ii) *Pass such further order/s as this Hon’ble Court deems fit in favour of the petitioner and against the respondents”.*

When the matter was listed on April 17, 2018 this Court has passed the following order:

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

(i) Quash and Set aside the Demolition order dated 06.10.2017 including Show Cause notice bearing No. 147/U/C/B-I/8417 dated 04.05.2017, the Letter bearing No. D-890-AE(B)/SZ/2017 and Vacation order dated 02.01.2018 and all proceedings emanating there from including any Demolition Notice, Vacation Notices etc. qua the property in question i.e. rear portion of basement, rear portion of ground floor, first floor, second floor and third floor of property No. W-127, GK-II, New Delhi-110048

(ii) Pass such further order/s as this Hon’ble Court deems fit in favour of the petitioner and against the respondents”.

It is the submission of Mr.Harkauli, Adv. for the petitioner that the petitioner has filed an appeal before the ATMCD, but the same has been adjourned to May 22, 2018 as the position of the Presiding Officer, ATMCD is vacant. As I have listed similar matters on April 25, 2018, I deem it appropriate to adjourn this matter immediately thereafter.

List on April 27, 2018. Till the next date of hearing, no coercive action shall be taken against the petitioner.”

Mr. Arjun Harkauli, learned counsel for the petitioner states that the appeal has been filed before the ATMCD and the same is coming up for hearing on May 22, 2018. If that be so, the parties are relegated to the ATMCD. They shall appear before the ATMCD on May 22, 2018, on

which date, the ATMCD shall hear the appeal / stay application filed by the petitioner de-novo without being influenced by the protection granted by this Court on April 17, 2018. The protection granted on April 17, 2018 shall continue till May 22, 2018. The parties shall produce this order before the ATMCD for its perusal and consideration. The petition is disposed of.

CM No. 14857/2018 (for stay)

Dismissed as infructuous.

V. KAMESWAR RAO, J

MAY 07, 2018/aky