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

+ **W.P.(C) 5149/2018 & C.M. No.19985/2018**

SHWETA AGARWAL AND ANR.

..... Petitioner

Through Mr.Rajiv Bansal, Sr.Adv with
Mr.Akshat Hansaria, Ms.Etisha Srivastava, Advs.

versus

GOVERNMENT OF NCT OF DELHI AND ANR. Respondent

Through Mr.Rishikesh Kumar, ASC with
Mr.Prem sagar Pal, Adv for R-1.

Mr.Rakesh Mittal, S.C. with Mr.Kamlesh Anand
and Ms.Yamini Mittal, Advs for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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18.05.2018

Vide the present petition, the petitioners have sought quashing of the vacation notice dated 11.05.2018 from the respondent no.2, in respect of their property at Village Jonapur, Tehsil Hauz Khas (Mehrauli) being Mustail Number 58, Kila Nos21/2 Min (0-07), 21/1 Min (0-06), 22/1 Min (1-01), 22/2 (Min 3-02).

At this stage, Mr.Rakesh Mittal, learned counsel for the respondent no.2, who appears on advance notice submits that the demolition is being carried out pursuant to the direction of Monitoring Committee appointed by the Hon'ble Supreme Court and in these circumstances, the present petition is not maintainable before this Court as the petitioners have to approach the Monitoring Committee, for raising, their grievances in respect of orders passed under directions of the said committee.

Mr. Rajiv Bansal , learned senior counsel for the petitioners submits that he has various grievances in respect of the impugned vacation notice as, according to him, the property in question is no longer agricultural land and the petitioner has been paying the property tax thereon.

Mr.Bansal further submits that the petitioners' property has been substantially demolished without any show cause notice to them even though the petitioners had made various representations to the respondents and the petitioners were having a deemed sanctioned plan of the property.

Mr.Mittal, learned counsel for the respondent has vehemently denies the contentions. However, keeping in view the fact that this Court does not have jurisdiction to entertain the present petition, in view of the fact that the impugned order has been passed pursuant to directions of the Monitoring Committee, Mr.Bansal seeks leave to withdraw the present petition, with liberty to approach the Monitoring Committee.

The present petition is dismissed as withdrawn with liberty as prayed for.

Dasti under the signature of Court Master.

REKHA PALLI, J

MAY 18, 2018

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