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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6686/2018 and CMs No. 25424/2018 and 25425/2018
M/S WANIA DEVELOPERS & INFRASTRUCTURE PVT LTD
..... Petitioner

Through: Mr. Mahel Arora, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR
..... Respondents

Through: Ms. Sangeeta Chandra, Advocate for
Respondent No. 1.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **27.06.2018**

Vide the present petition, the petitioner has sought quashing of the demolition order dated 26.04.2018 passed by the Respondent No. 2 with respect to Property bearing No. D-9, Khasra No. 168/1, Okhla Vihar, New Delhi.

Learned counsel for the petitioner submits that he has already preferred an Appeal under Section 347 and 347A of the Delhi Municipal Corporation Act, 1957 against the aforesaid order on 14.07.2018 before the Appellate Tribunal, MCD, which appeal has already been registered as Appeal No. 408/2018, but is not being taken up for hearing due to the ongoing summer vacations. He further submits that taking advantage of the fact that the petitioner's

appeal is not being listed for hearing, the respondents are threatening to proceed with the proposed demolition so as to render his appeal itself infructuous. He further submits that he has instructions to state that the petitioner's appeal before the Tribunal has been listed for hearing on 20.07.2018.

On the last date, Ms. Sangeeta Chandra, learned counsel for respondent no. 1 was granted time to take instructions.

Today, Ms. Sangeeta Chandra, learned counsel for respondent no. 1 submits that as per her instructions, no demolition is likely to be carried out before 23.07.2018.

In view of the aforesaid stand taken by the respondents, the Writ Petition is disposed of with a direction to the respondents to maintain status-quo till 20.07.2018, when the petitioner's Appeal No. 408/2018 is taken up for hearing by the Appellate Tribunal, MCD

It is made clear that this Court has not expressed any opinion on the merits of this case and the Tribunal will be free to deal with the appeal and pass appropriate orders on its own merit.

The Petition stands disposed of.

A copy of this order be given *dasti* to learned counsel for the parties under the signature of Court Master.

REKHA PALLI
(VACATION JUDGE)

JUNE 27, 2018

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