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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6703/2018**
NARINDER PAL SINGH & ANR Petitioner
Through Ms.Simran Sadyora with Mr.Sanjeev
Bhatia, Advs.
versus
EAST DELHI MUNICIPAL CORPORATION Respondent
Through Mr.Yogesh Parhauvi, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 27.06.2018

C.M.No.25455/2018

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 6703/2018 & C.M.No.25454/2018

Vide the present petition, the petitioner has sought a direction to restrain the respondents from demolishing his property i.e. property no.121, Shiv Puri, Village- Khajuri Khas, Ilaqa Shahdra, Delhi-110051.

Learned counsel for the petitioner submits that the petitioner had initially filed an appeal but, during the hearing of that appeal, it transpired that the respondent had not even furnished a copy of the basic order dated 17.04.2018 to the petitioner, the Tribunal had vide its order dated 07.06.2018 directed the respondent to handover a copy of the said order to the petitioner during the course of the proceeding. He further submits that a copy of the order dated 17.04.2018, was, therefore, made available to the petitioner only on 07.06.2018, who had then withdrawn the appeal with liberty to file a fresh appeal. He

submits that the petitioner was, however, unable to file an appeal due to the ongoing summer vacation before the Tribunal, which is stated to be reopening on 02.07.2018.

He submits that taking benefit of the fact that the petitioner has been unable to file an appeal due to the ongoing summer vacations before the Tribunal, the officials of the respondent are threatening to demolish the petitioner's aforesaid property during the intervening period.

Learned counsel for the respondent, who appears on advance notice is unable to dispute the fact that the Tribunal is closed due to the ongoing summer vacation.

In these circumstances, I am of the considered view that the writ petition can be disposed of by directing the respondent not to take any coercive action against the petitioner for one week from date of reopening of the Tribunal and it is, thus, made clear that till 09.07.2018, the respondent will maintain status quo qua the petitioner's property, whereafter, in case, the petitioner files any appeal before the Tribunal, the parties would be governed by orders passed by the Tribunal.

The petition alongwith the pending application is disposed of in the above terms.

Dasti under the signature of Court Master.

**REKHA PALLI
(VACATION JUDGE)**

JUNE 27, 2018

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