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

+ W.P.(C) 9499/2018

PUSHPA RANI

..... Petitioner

Through: Mr Awijit Paliwal, Adv

versus

SOUTH DELHI MUNICIPAL CORPORATION

..... Respondent

Through: Mr Tushar Sannu and Mr Ankit Jain,
Adv

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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11.09.2018

CM No. 36983/2018 (exemption)

The exemption is allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 9499/2018 and CM No. 36982/2018 (stay)

The petitioner claims that her husband was allotted a *tehbazari* site on 04.04.2002 being Site No. 10, Sector- 4 , R.K. Puram, New Delhi. The husband of the petitioner expired on 10.05.2015 leaving behind his widow and four children. The counsel for the petitioner submits that the petitioner has made an application for mutation of the *tehbazari* site in her name along with No Objection Certificates from all the four children. However, no order granting mutation has been passed.

Issue notice to show cause as to why petition be not admitted.

Counsel for respondent accepts notice. He submits that the application of the petitioner is under active consideration, however, a letter has been received from the father-in-law of the petitioner objecting

to the mutation on the ground that the husband of the petitioner was murdered by his wife-petitioner herein, although, no charge sheet has been filed.

In our view, prima facie this objection should not come in the way of the respondent in deciding the application for grant of mutation. Counsel submits that the application would be considered within a period of six weeks. The respondent shall be bound by the stand taken in court today.

Writ petition and CM No. 36982/2018 (stay) are disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 11, 2018
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