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

+ W.P.(C) 7524/2017, CM No. 31011/2017

SHRI BRAHMA NAND GARG & ANR Petitioners

Through: Mr. Dikshant Khanna, Adv.

versus

STATE (NCT OF DELHI) & ORS Respondents

Through: Mr. Kirti Uppal, Sr. Adv. with
Mr. Siddharth Chopra, Adv. for R3
SI Sandeep Kumar PS Kotwali.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **19.02.2018**

It is submitted by Mr. Kirti Uppal, learned Senior Counsel appearing for the respondent No.3 that the appeal filed by Mr. Ashok Aggarwal has been disposed of by the Appellate Tribunal vide order dated December 21, 2017 with the following order:

“12. With these observations appeal is remanded back. The appellant shall not raise any further construction in the said property nor shall sell it or create any third party interest in the same till the matter is decided afresh by the AE(B) or till the period of three months whichever is later. Appellant shall also not carry out any repair (except whitewash) in this property without written permission of AE (B) concerned.

13. The appellant is also directed to file affidavit giving details of construction along with measurements along with existing site plan and photographs of the property in question within five working days before this Tribunal and a copy of the

same be provided to the AE (B) concerned.

14. The appeal, is thus, dispose off. The file of the department, if any, be returned to the respondent along with copy of this order. One copy of the order be sent to Commissioner concerned through concerned. Chief Law Officer. One copy of order be placed in each filed. Appeal be consigned to record room."

The copy of the order is taken on record. A copy of the same has been given to the learned counsel for the petitioners, who states in view of the order of the Appellate Tribunal dated December 21, 2017, he wishes to withdraw the writ petition. The writ petition and CM 31011/2017 are dismissed as withdrawn.

V. KAMESWAR RAO, J

FEBRUARY 19, 2018/aky