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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1535/2018**
PAWAN CHAWLA & ANR

..... Petitioners

Through : Mr.Harish Malhotra, Sr Advocate
with Mr.Sandeep Vishnu and
Ms.Mahak Gupta, Advocates.

versus

THE NEW DELHI MUNICIPAL COUNCIL & ORS

..... Respondents

Through : Mr.Arjun Mitra, Standing Counsel
with Ms.Malvika Trivedi, ASC for
NDMC.
Mr.Amit Sethi, Advocate for
respondents No.2 to 4/Caveator.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **14.12.2018**

CAV No.1170/2018

Counsel as above appears for the respondents No.2 to 4/
caveators. The caveat is discharged.

CM Appl.No.52507/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CM(M) 1535/2018, CM Appl.No.52506/2018

This petition challenges an order dated 27.11.2018 whereby the
request made by the petitioner to provide him two documents as
annexed with the status report dated 19.02.2015 filed on behalf of
respondent No.1 was disallowed.

Admittedly during the proceedings of pending civil suit

between the parties, a status report was filed qua the fact as to if there was any door at the disputed place viz the wall on which an electricity meter is installed.

It has been the case of the petitioner that there was never any door on the said place, but whereas the case of the respondents No.2 to 4 is that earlier there was a door which was removed by the bank – the erstwhile tenant.

The learned counsel for the NDMC says they are with the petitioner and as per the status report they had filed there was no door on such wall where the electricity meter is installed but the officers who have prepared the status report have since repatriated to different departments, they do not have details of such documents annexed with the status report. In any case, respondents No.2 to 4 shall have to prove if there was any door existed at any time in the wall where the electricity meter is installed. Hence, there is no infirmity in the impugned order dated 27.11.2018 passed by the learned Trial Court and thus, in view of above observations, the petition stands disposed of. The pending application also stands disposed of. Copy of this order be given *dasti* under signature of the Court Master.

YOGESH KHANNA, J.

DECEMBER 14, 2018

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