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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1550/2019, CM No. 7138/2019

**YAMUNA VIHAR RESIDENTS WELFARE AND CULTURAL
ASSOCIATION**

..... Petitioner

Through: Mr.K.P.Mavi, Adv.

versus

EAST DELHI MUNICIPAL CORPORATION AND ORS.

..... Respondent

Through: Mr.Amrit Pal Singh, Adv. for EDMC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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25.04.2019

The present petition has been filed by the petitioner with the following prayers:

(a) Issue appropriate writ, order or direction to the respondent no. 1 not to set up the solid waste processing plant in the premises of Primary School of East Delhi Municipal Corporation Block C-6, Yamuna Vihar;

(b) Pass such other or further order as this Hon'ble Court deem fit and appropriate in the facts and circumstances of the case”.

On the last date of hearing, this Court has passed the following order:-

“The petitioner seeks restraint against respondents

Nos. 1, 2 and 3/EDMC setting-up a solid waste processing plant in the premises of the EDMC Primary School in Block C-6, Yamuna Vihar, New Delhi. Mr. Amrit Pal Singh, learned counsel for respondents Nos. 1, 2 and 3 appears on advance copy and states that a related matter is pending before the Supreme Court in SMW (C) No. 1/2015 titled Outrage as Parents End Life After Childs Dengue Death; and by reason thereof a Division Bench of this court headed by Hon'ble the Chief Justice was pleased to adjourn a matter, being W. P. (C) No. 8917/2015 titled Gauri Grover vs. Govt. NCT of Delhi & Ors. and other connected petitions, awaiting the result of the proceedings before the Supreme Court. Let counsel for the parties ascertain if the subject matter of the present petition is the same as that of the aforesaid matter pending before the Supreme Court and also before a Division Bench of this court in the aforesaid cases. Re-list on 25th April, 2019”.

Mr. Amrit Pal Singh, learned counsel appearing for the respondent, on instructions from Mr. S. D. Tomar, Executive Engineer, states that the respondents have no intention to set up solid waste process plant in the primary school of East Delhi Municipal Corporation, Block C-6, Yamuna Vihar, Delhi in view of the pendency of petition, concerning the solid waste

management before the Supreme Court in SMW(C) 1/2015.

In view of the statement made by Mr.Amrit Pal Singh, Adv., learned counsel for the petitioner does not wish to press this petition at present. The petition is accordingly dismissed as withdrawn.

V. KAMESWAR RAO, J

APRIL 25, 2019/akb