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

+ W.P.(C) 3946/2019 & CM. Nos. 17899/2019, 17900/2019,
17901/2019, 17902/2019 and 17903/2019

SWATI SINGHAL AND ORS. Petitioners

Through: Mr. N.M. Popli, Adv.

versus

EAST DELHI MUNICIPAL CORPORATION Respondent

Through: Mr. Manu Chaturvedi, SC for EDMC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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15.04.2019

This matter has been listed vide a supplementary list circulated in the post lunch session on a mentioning made before Hon'ble the Chief Justice.

CM Nos. 17900/2019, 17901/2019 & 17902/2019 (for exemption)

Exemption allowed, subject to all just exceptions.

Applications stand disposed of.

W.P.(C) 3946/2019, CM Nos. 17899/2019 & 17903/2019

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

“In the aforesaid circumstances, it is humbly prayed that this Hon'ble Court may graciously be pleased to:

i. Issue rule nisi

- ii. After hearing both sides issue writ in the nature of Certiorari or any other appropriate writ or direction and to quash vacation notice issued u/s 349 of MCD Act more particularly P 14 to P 23 dt. 02.04.2019*
- iii. Issue a writ in the nature of Mandamus or any other appropriate writ or direction to the respondent to dispose off notices issued u/s 345-A of DMC Act after adhering principles of natural justice.*
- iv. Pass any further order / orders as may be deemed fit and proper in the circumstances of the case.”*

In effect the challenge in this writ petition is to the vacation notice issued to the petitioners. Learned counsel appearing for the respondent / EDMC on instructions states that the sealing orders have been issued qua all the petitioners. The aspect is disputed by Mr. N.M. Popli, learned counsel appearing for the petitioners, who states that none of the petitioners have received sealing order. Learned counsel for the respondent states that the orders as issued by the respondent shall be supplied to Mr. N.M. Popli either today or by tomorrow evening.

If that be so, the petitioners are relegated to the ATMCD, where they shall challenge the order of sealing issued by the respondent, in accordance with law, within fifteen days.

Till such time, the stay application filed is heard and decided by the

ATMCD, no coercive action shall be taken against the petitioners.

Parties are at liberty to take all pleas as available to them both on facts and law.

The writ petition and connected application are disposed of.

Dasti under the signature of the Court Master.

V. KAMESWAR RAO, J

APRIL 15, 2019/aky