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

+ **W.P.(C) 5444/2019 and CM APPL. 23900/2019 (stay)**

SOUTH DELHI MUNICIPAL CORPORATION Petitioner

Through: Mr.Mukesh Gupta, Standing counsel
with Mr.Mayank Ahuja, Advocate.

versus

R.K. AILAWADI & ORS.

..... Respondent

Through: Mr.Ajjay Anurag with Mr.Kapil
Dutta, Advocates for NDMC.
Ms.Eshita Baruah, Ms.Priya Barua for
Mr.Gaurang Kanth, Advocates for
NDMC.
Mr.Sujeet Kumar Mishra with Thakur
Ankit Singh, Advocates for R-2.
Mr.Kumar Rajesh Singh, Standing
counsel for EDMC.
Ms.Punam Singh, Advocate for R-3.

**CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH**

**ORDER
25.11.2019**

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1. The question of the powers of the Municipal Corporations of East, South and North Delhi, post trifurcation hinges upon the amendments proposed to Sections 89 and 92 of the Delhi Municipal Corporation Act, 1957 (DMC Act).

2. As already noted by the Court today in a separate order passed in W.P.(C) 5332/2017 those amendments are imminent and are expected to come about

by the end of March, 2020.

3. The question involved in the present petition is precisely, whether local bodies have any jurisdiction to order transfer of officials from one DMC to another?

4. This Court, at the hearing of the present petition, on 20th May, 2019 directed status quo to be maintained with regard to the posting of Respondent No. *qua* an order dated 24th April, 2019 passed by the Director of Local Bodies, Government of NCT of Delhi. That status quo has continued till date.

5. Accordingly, the Court disposes of the present petition and the pending application by directing the above status quo to be maintained till such time amendments are carried out to Sections 89 and 92 of the DMC Act. After such amendments, it will be open to the authorities concerned to take a decision in the matter.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 25, 2019

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