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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5618/2019, CM No. 24633/2019**
MANOJ ARORA

..... Petitioner

Through: Mr. A.K. Singla, Sr. Adv. with
Mr. Abhimanyu Singh, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION

..... Respondent

Through: Ms. Puja Kalra, Adv. for Mr. Mukesh
Gupta, Adv. for Nr. MCD

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **02.07.2019**

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

“In the circumstances stated above, it is, therefore, respectfully prayed that the Hon'ble Court may be pleased to issue writ of mandamus or any other writ(s), direction or order thereby:-

(i) stay the operation of the impugned sealing order as orally informed by the respondent officials on 18.05.2019 to have been passed by them in respect of property bearing no. 2216-2222, Gali Inder Chamar, Teliwara, Sadar Bazar, Delhi-110006, till the Appellate Tribunal MCD becomes functional and hear the matter of petitioner herein impugned order has never been provided to petitioner;

(ii) in alternative setting-aside/ quashment of impugned sealing order as orally informed by the respondent officials to have been passed by them in respect of

property bearing no. 2216-2222, Gali Inder Chamar, Teliwara, Sadar Bazar, Delhi-110006, in disregard to clear directions of Hon'ble High Court on 13.05.2019 in W.P.(C) No. 5082/2019 & W.P. (C) No.5102/2019;

(iii) writ/order/direction to be issued against the respondent that no adverse action be taken against the Petitioner or his property without giving proper hearing, opportunity to file reply and documents and opportunity/time to file appeal against the sealing order passed by the respondents.

(iv) to pass such further order considered just fit, proper and expedient in the facts and circumstances of the case.”

On the last date of hearing i.e. May 30, 2019, Mr. A.K. Singla, learned Senior Counsel appearing for the petitioner has justified filing of the petition in the Court on the ground that the notification conferring the powers on the Presiding Officer of the ATMCD has not been issued. I have been informed by Mr. A.K. Singla that such notification has since been issued and the date of hearing in appeal / stay application is July 05, 2019.

If that be so, I dispose of the writ petition extending the protection till July 05, 2019 when the ATMCD shall consider the appeal / stay application and pass fresh orders in accordance with law.

CM No. 24633/2019

Dismissed as infructuous.

V. KAMESWAR RAO, J

JULY 02, 2019/aky