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

+ **W.P.(C) 5107/2018 & C.M. Nos.19734/2018, 21562/2018**

ARCHANA SHOPPING ARCADE SOCIETY Petitioner

Through: Dr.Lalit Bhasin with Mr.Arush
Khanna, Mr.Lakshay Mehta &
Mr.Ajay P. Singh, Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through: Mr.G.D. Mishra, Adv. for R-1.
Mr.Zahid Hanied, Adv. for R-2 to 4.
Mr.Amarjit Singh Bedi, Mr.Varun
Chandiok & Ms.Riya Seth, Advs. for
R-5.
Mr.Amit Sethi, Adv. for R-6.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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09.01.2019

1. Vide the present petition, the petitioner had sought a direction to the respondent no.1 to take measures to stop the construction of chimney tower/stack which was being erected by the respondent no.5 on the front side of parking area of the Archana Shopping Complex, Greater Kailash-I, New Delhi.

2. Learned counsel for the petitioner submits that after the filing of the present petition, the said chimney tower/stack has been removed and relocated by the respondent no.5 to another site

regarding which site, the petitioner/society does not have any grievance. He therefore, states he has instructions not to press the present petition any further.

3. Learned counsel for the respondent no.5 which has erected the said tower stated to be containing a genset, submits that the said tower/stack has been constructed in accordance with the municipal bye-laws. Learned counsel for the respondent no.1 however, states that he does not have any instructions regarding the claim of the respondent no.5 that the relocation is in accordance with the bye-laws.

4. Be that as it may, since the grievance of the petitioner no longer survives the petition having become infructuous along with the pending applications is dismissed as withdrawn.

REKHA PALLI, J

JANUARY 09, 2019

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