

\$~61

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

+ W.P.(C) 12008/2016 & CM Nos.10732/2017 (for stay), 10731/2017,
47401/2016 (for stay)

ASHOK VATS Petitioner

Through Mr.Abhishek Sethi, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION
& ORS

..... Respondents

Through Mr.Roshan Lal Goel, Adv. for R-1.
Mr.Bhagvan Swarup Shukla, Adv. for
UOI.
Mr.Sonal Anand, Adv. with
Mr.Aayush Sai, Adv. for R-3A.
Mr.Aly Mirza, Adv. for R-4.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **16.01.2019**

1. After some arguments, learned counsel for the petitioner states that the respondent no.4 has already approached the Appellate Tribunal, MCD by way of Appeal No.680/2013 qua the property in respect whereof the present petition has been filed. He states that even though the petitioner has been already permitted to make submissions at the time of final arguments in the aforesaid appeal, he may also be granted an opportunity to file documents before the Tribunal. He apprehends that the official respondents may in

collusion with respondent no.4, not file those documents which would clearly demonstrate that the respondent no.4 had illegally re-constructed those portions of the property which were demolished in the year 2013.

2. Though the aforesaid submission is vehemently denied by learned counsel for the respondent no.4, I am of the view that in the interest of justice, the petitioner ought to be allowed to file documents as may be available with him before the Appellate Tribunal, MCD as the same will only assist the Tribunal to arrive at a just and proper conclusion.

3. The petitioner is accordingly granted four weeks time to file documents before the Appellate Tribunal, MCD in Appeal No.680/2013, to make submissions at the time of final arguments.

4. Learned counsel for the petitioner on instructions from the petitioner who is present in Court, states that in view of the liberty granted to him, he does not wish to press the writ petition any further.

5. The writ petition and pending applications are dismissed as not pressed.

REKHA PALLI, J

JANUARY 16, 2019/aa