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

+ **LPA 19/2020**

GOVERNMENT OF NCT OF DELHI & ANR Appellants
Through: Mr. Ramesh Singh, SC for GNCTD with
Mr. Dhananjaya Misra and Mr. Ishan Agrawal,
Advocates.

versus

M/S UDI DEPARTMENTAL STORE & ORS Respondents
Through: Mr. Sunil Dalal and Ms. Akansha Kaul
and Mr. Jaskaran Singh and Mr. Vijay Sharma,
Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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15.01.2020

LPA 19/2020, C.M. No. 1432/2020 & 1434/2020 (Exemption) and C.M. No. 1433/2020 (for stay) and C.M. No. 1435/2020 (by the appellants for seeking permission to file certain additional documents)

1. The appellant/GNCTD is aggrieved by an interim order dated 24.12.2019, passed by the learned Single Judge in two writ petitions, one filed by the respondents herein, registered as W.P.(C) No. 13729/2019 and another writ petition filed by M/s Paradise Departmental Store.

2. The grievance of the respondents/petitioners in the writ petitions is against the order dated 19.12.2019, issued by the Dy. Commissioner (Excise), Govt. of NCT of Delhi, withdrawing the L-12/L12F licences issued in their favour with effect from 20.12.2019.

2. By the impugned order, the learned Single Judge has stayed the operation of the order dated 19.12.2019, subject to the condition that the

respondents shall strictly comply with the terms and conditions of licences issued in their favour and the writ petition has been listed on 03.2.2020.

3. At the outset, we have indicated to Mr. Ramesh Singh, Standing Counsel, GNCTD that we are not inclined to interfere in the impugned order, particularly, when the writ petition is listed for arguments on 03.2.2020.

4. On enquiring from learned counsel for the appellants as to whether pleadings in the writ petition are complete by now, Mr. Ramesh Singh, Standing Counsel, GNCTD states that though a period of three weeks was granted to file the counter affidavit, the same has not been filed so far. He assures the court that the counter affidavit to the writ petition shall be filed within one week from today. Rejoinder, if any, shall be filed by the respondents well before the date fixed before the learned Single Judge.

5. The appeal is disposed of along with the pending applications with liberty granted to the appellants to take all the pleas available to it to oppose the writ petition. It is made clear that neither side shall seek an adjournment on the date fixed before the learned Single Judge i.e., 03.2.2020. Needless to state that the view expressed in the impugned order is tentative in nature and the learned Single Judge shall decide the writ petitions after examining the pleas taken by the parties, the documents filed and on hearing arguments of both sides.

HIMA KOHLI, J

ASHA MENON, J

JANUARY 15, 2020/ap
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