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

+ **W.P.(C) 7686/2018**

SURENDER SINGH

..... Petitioner

Through: Mr. Anupam Srivastava, Mr. Nitin K.
Gupta and Mr. Dhairya Gupta,
Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR. Respondents

Through: Mr. Sri Harsha Peechara, ASC for
NDMC.

Mr. Gautam Narayan, ASC for
GNCTD with Ms. Shivani Vij,
Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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16.06.2020

CM APPL. 12570/2020 (fresh by R-1 for vacation of interim order dt.
25.07.2018)

1. The hearing was conducted through video conferencing.
2. Issue notice.
3. The learned counsels named above accept notice on behalf of the non-applicants.
4. This application seeks modification of the interim order dated 25.07.2018, so that the property concerned i.e. Type V, Flat No. 12 (V), Yashwant Place Market, New Delhi, is returned to the respondent no. 1- NDMC. The learned counsel for the petitioner submits that he is ready and willing to return the said property at the earliest possible.

5. Mr. Gautam Narayan, the learned ASC for GNCTD, submits that there was an inter-pool exchange during elections to the State Legislative Assembly, apropos Type V, Flat No. 12 (V), Yashwant Place Market, New Delhi with Type V, Flat No. 130B, GH 10, Sunder Apartment, Paschim Vihar, New Delhi. The learned counsel for NDMC refers to the Annexure R-17 of the Counter Affidavit, which a copy of the NDMC's letter dated 05.04.2018, intimating the Chief Secretary (GNCTD) that the Type V, Flat No. 130B, GH 10, Sunder Apartment, Paschim Vihar, New Delhi has been surrendered and is not required anymore.
6. In view of the above, the GNCTD will be free to take over the possession of the Type V, Flat No. 130B, GH 10, Sunder Apartment, Paschim Vihar in lieu of Type V, Flat No. 12 (V), Yashwant Place Market, New Delhi, possession of the latter is to be taken over by the NDMC at the aforesaid premises on 18.06.2020 at 11:00 a.m.
7. The application stands disposed-off in terms of the above.

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8. In view of the above, nothing survives in the writ petition.
9. The Writ Petition, alongwith pending applications, is accordingly disposed-off.
10. The next date of hearing i.e. 23.06.2020 stands cancelled.
11. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

JUNE 16, 2020/AB