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

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Judgment delivered on: 17.02.2021

+ W.P.(C) 1177/2021

MS TARA PALACE HOTEL

..... Petitioner

versus

NORTH DELHI MUNICIPAL CORPORATION

.....Respondent

**Advocates who appeared in this case:**

For the Petitioner:

Mr. Arush Kapoor, Advocate.

For the Respondent:

Mr. Anand Prakash, ASC with Ms. Varsha Arya,  
Advocate for NDMC.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**SANJEEV SACHDEVA, J. (ORAL)**

**CM APPL.6323/2021(exemption)**

Exemption is allowed subject to all just exceptions.

**CM APPL.6322/2021**

1. The hearing was conducted through video conferencing.
2. Since action by the Corporation was taken on a Writ Petition filed by the applicant, now petitioner is availing his remedies in law against the action being taken by Corporation. No ground for impleadment of the applicant is made out in these proceedings.
3. The application is, accordingly, dismissed.

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MAGGU  
Signing Date: 17.02.2021 23:07:11  
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to HMJ Sanjeev Sachdeva.

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**W.P.(C) 1177/2021 & CM APPL.3314/2021(stay)**

1. Petitioner has approached this Court in view of the fact that the Appellate Tribunal MCD is not functional.
2. Petitioner was granted interim protection on 29.01.2021. The Appellate Tribunal MCD is likely to commence functioning shortly.
3. In view of the above, this petition is disposed of with the direction that the interim protection granted to the petitioner by order dated 29.01.2021 shall continue for a period of two weeks after the Appellate Tribunal MCD becomes operational or till the time the appeal/stay application of the petitioner is taken up for consideration, whichever is earlier.
4. The continuance of interim protection thereafter would be subject to orders of the Appellate Tribunal MCD.
5. The Appellate Tribunal MCD shall consider the appeal and the stay application without being influenced by anything stated herein.
6. The petition along with application for stay is, accordingly, disposed of in the above terms.
7. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.

**SANJEEV SACHDEVA, J.**

**FEBRUARY 17, 2021**

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