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

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Judgment delivered on: 19.05.2021

+ W.P.(C) 3934/2021 & CM 11822/2021

SMT SANTOSH DEVI & ANR.

..... Petitioner

versus

STATE (NCT DELHI) & ANR.

.....Respondent

Advocates who appeared in this case:

For the Petitioner:

None.

For the Respondent:

Mr. Rishikesh Kumar, Additional Standing Counsel, GNCTD.

Mr. Rambir Chauhan, Advocate for sisters of petitioner No.1's husband.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. By this petition, petitioner seeks a direction to respondent No.2 i.e., the Collector/Deputy Commissioner to expeditiously dispose of the application for stay filed by the petitioners in the appeal pending before the Deputy Commissioner.

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W.P.(C) 3934/2021

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3. Learned counsel appearing for the respondents submits that on account of the officers being engaged in COVID-19 related duties, the application could not be taken up. He prays that some time be granted to dispose of the said application.

4. Mr. Rambir Chauhan, learned counsel appearing for Ms. Raj Bala, Ms. Rajo, Ms. Champi and Ms. Anita, sisters of the late husband of petitioner No.1 submits that the petitioners have not right, title or interest in the property as they already transferred the property to a third party. He further submits that the stay application has already been dismissed by the Financial Commissioner. Accordingly, the petitioners are not entitled to any relief from the Deputy Commissioner.

5. The only relief sought by the petitioners is an expeditious disposal of the application for stay filed before the Deputy Commissioner.

6. In this petition, no adjudication of rights on merits is called for. The submission of learned counsel appearing for the sisters of the late husband of petitioner No.1 that property stands transferred or an appeal already stands disposed of by the Financial Commissioner, are issues which can be raised before the appellate authority as and when

the application is taken up for consideration. In these proceedings, said issues are not germane for the purposes of a direction to the appellate authority to consider the stay application expeditiously.

7. In view of the above, the petition is disposed of with a direction to the respondent/appellate authority to expeditiously dispose of the application for stay, preferably within a period of six weeks from today. All rights and contentions of the parties are reserved.

8. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

SANJEEV SACHDEVA, J.

MAY 19, 2021
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