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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 03.05.2024

+ W.P.(C) 6217/2024 & CM APPL. 25895-96/2024

ANIL MADAN

..... Petitioner

versus

ASSISTANT COLLECTOR, GR-II & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. Ramesh Singh, Senior Advocate with Mr. Sumit K. Batra, Mr. Manish Khurana, Ms. Priyanka Jindal and Ms. Nanya, Advocates

For the Respondents:

Mr. Anuj Aggarwal, ASC with Mr. Yash Upadhyay and Mr. Siddhant Dutt, Advocates for GNCTD
Mr. Harpreet Singh, Senior Standing Counsel with Ms. Suhani Mathur, Mr. Jatin Kumar Gaur, Ms. Pritika Nagpal, Mr. Lalit Kumar Chaudhary, Ms. Sonia, Mr. Anil Nagar, Mr. Jagdish Chandra and Mr. Suraj Bhan, Advocates for R-2

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner inter-alia seeks quashing of proceedings arising out



of Order in Original dated 27.05.2020.

2. Learned counsel for the petitioner submits that by order dated 08.02.2024 in W.P.(C) No.1824/2024, this Court had permitted the petitioner to move an application seeking waiver of the pre-deposit amount for adjudication of the appeal filed by the petitioner. He submits that petitioner has filed an application, however, the same has been cleared and numbered only yesterday on 02.05.2024 and as per his instructions, the application takes a substantial time for listing before the Tribunal. He submits that the respondents are pressing for execution of the order dated 27.05.2020 and seeking to recover the amount from the petitioner. He prays that appropriate time be granted to the petitioner to have the application listed for consideration before the Tribunal.

3. Learned counsel appearing for the respondents concede that the applications that are cleared before listing take some time for listing before the Tribunal.

4. Learned counsel appearing for respondent no. 1 assures that till 31.05.2024, they shall not take any precipitative steps pending listing and consideration of the application by the Tribunal.

5. In view of the above, liberty is given to the petitioner to approach the Tribunal for an expeditious listing of the application seeking waiver of the pre-deposit.



6. It is further directed that no coercive action shall be taken till the time the application seeking waiver of the pre-deposit is listed before the Tribunal, or till 31.05.2024 whichever is earlier.
7. It is clarified that the protection shall lapse on 31.05.2024, or on listing of the application whichever is earlier and thereafter any further action would be subject to the orders passed by the Tribunal.
8. Petition is disposed of in the above terms.

SANJEEV SACHDEVA, J

MAY 3, 2024/‘rs’

RAVINDER DUDEJA, J