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

+ **W.P.(C) 7030/2024**

POOJA CHOPRA

..... Petitioner

Through: **Mr. Sahil Munjal and Ms. Rhea Gandhi, Advs.**

versus

MUNICIPAL CORPORATION OF DELHI & ANR..... Respondents

Through: **Mr. Varun Chankok, Adv. for MCD (through v/c)**

Mr. Prashant Manchanda, ASC along with Ms. Nancy Shah and Mr. Angad Singh, Advs. for R-2/GNCTD.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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16.05.2024

CM APPL.29249/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 7030/2024 and CM APPL.29248/2024 (Stay)

1. The present petition has been filed by the petitioner assailing a Vacation Notice dated 12.02.2024, issued by the respondent/MCD *qua* the property in question i.e. 5601, Gali No.77, Reharpura, Karol Bagh, New Delhi-110005.
2. The said Vacation Notice is premised on a demolition order, stated to have been passed under Section 343 (1) of the DMC Act, 1957.
3. Learned counsel for the petitioner concedes that the said demolition order is appealable before the ATMCD, however, he submits that a copy of



the same has not been supplied to him.

4. After some hearing, learned counsel for the MCD submits that a copy of the said demolition order shall be supplied to the petitioner within a period of three days from today.

5. Upon receipt of the same, learned counsel for the petitioner shall be at liberty to avail its statutory/appellate remedies with regard thereto in accordance with law.

6. Learned counsel for the respondent/MCD submits that in order to enable the petitioner to avail its statutory/appellate remedies, the respondent/MCD shall not take any coercive/precipitative measures with regard to the property in question for a period of two weeks. The said statement is taken on record.

7. The present petition is disposed of in the above terms.

8. Needless to say the petitioner shall be at liberty to move an appropriate application seeking interim relief before the ATMCD, which shall be considered by the ATMCD in accordance with law on its own merits.

SACHIN DATTA, J

MAY 16, 2024/cl