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

+ **W.P.(C) 7440/2024, CM APPL. 30983/2024 - STAY**

ARUN GARG

..... Petitioner

Through: Mr. Siddharth R. Gupta, Mr. Mrigank Prabhakar, Mr. Shantanu Sharma, Mr. Sanjay Singh, Ms. Garvita Jain and Ms. Amisha, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS. Respondents

Through: Mr. Prithish Sabharwal, Adv. for MCD (through v/c)
Ms. Aditi Saraswat, Adv. for Mr. Jawahar Raja, ASC (Civil), GNCTD for R-2 and 3 (through v/c)
SI Arun Kumar, PS Paharganj in person.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **22.05.2024**

CM APPL. 30982/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 7440/2024

1. The present petition raises a grievance as regards the alleged inaction on the part of the MCD in failing to remove the illegal encroachment on the pedestrian way/public pathway in front of the shop of the petitioner. Several representations are stated to have been made by the petitioner to the MCD in this regard.

2. After some hearing, learned counsel for the petitioner confines



himself to seek that the present petition be treated as a representation by the MCD on which a speaking order may be passed after affording an opportunity of hearing to the petitioner. It is directed accordingly.

3. Let a hearing be granted to the petitioner, and also to the shopkeepers of the adjoining shops by the concerned Executive Engineer of the MCD. Let a speaking order be passed within a period of six weeks thereafter.

4. With the above directions, the present petition, along with pending application/s, stands disposed of.

5. In case, the petitioner is aggrieved with the outcome of the aforesaid exercise, he shall be at liberty to take appropriate remedies in accordance with law.

SACHIN DATTA, J

MAY 22, 2024/cl