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

+ **CM(M) 2661/2024**

SEEMA MALHOTRA

..... Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with Mr. Ujjwal Jha, Mr. Rohan Gupta, Mr. Adhityaraj and Ms. Riya Gultati, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ANR

..... Respondents

Through: Mr. Akhil Mittal, SC for MCD/R-1. Ms. Bandana Kaur Grover, Mr. Prince Tanwar and Ms. Sonam Chauhan, Advs.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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27.05.2024

CM APPL. 31786/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 2661/2024 & CM APPL. 31785/2024—stay

3. The present petition has been filed under Article 227 of the Constitution of India invoking the supervisory jurisdiction of this Court seeking appropriate directions to learned Appellate Tribunal, Municipal Corporation of Delhi [in short “ATMCD”] to first decide the applications seeking condonation of delay in filing the appeals and then with the



impleadment applications moved by the petitioner in various appeal pending before it namely Appeal No. 264/2023, 265/2023, 266/2023, 267/2023, 776/2022 & 777/2022 all titled as “*Anand Infra Heights Pvt. Ltd. vs Municipal Corporation of Delhi & Ors*”.

4. Learned senior counsel appearing in support of the petition submits that there is patent illegality as the learned ATMCD has proceeded to deal with the aforesaid appeals instead of first deciding the applications seeking condonation of delay in filing the said appeals.

5. The order dated 21.02.2024 has been placed before this Court vide which the learned ATMCD has directed for filing of the status report and disposal of application under Order I Rule 10 CPC as well as application for condonation of delay in filing the appeal no. 264/2023 and for hearing of the appeals on 04.04.2024. Now, the matter is listed for 29.05.2024 before the learned ATMCD for all the purposes.

6. Accordingly, no directions are required from this Court as the matter is already listed for hearing before the learned ATMCD for all the purposes.

7. The petition along with pending application stands disposed of.

SHALINDER KAUR, J

MAY 27, 2024
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