



\$~31, 44, 49, 52, 55, 57, 70, 75, 77, 78, 81, 82, 83

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 2743/2024, CM APPL. 34184/2024, CM APPL. 34185/2024,
CM APPL. 34186/2024
M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.

44

+ CM(M) 2756/2024, CM APPL. 34324/2024, CM APPL. 34325/2024,
CM APPL. 34326/2024
M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.

49

+ CM(M) 2761/2024, CM APPL. 34407/2024, CM APPL. 34408/2024,
CM APPL. 34409/2024
M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.

52

+ CM(M) 2764/2024, CM APPL. 34419/2024, CM APPL. 34420/2024,
CM APPL. 34421/2024
M/S GTL INFRASTRUCTURE LTD. Petitioner



Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent

Through: Mr. Prateek Jain, Adv.

55

+ CM(M) 2767/2024, CM APPL. 34443/2024, CM APPL. 34444/2024,
CM APPL. 34445/2024

M/S GTL INFRASTRUCTURE LTD. Petitioner

Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent

Through: Mr. Prateek Jain, Adv.

57

+ CM(M) 2769/2024, CM APPL. 34599/2024, CM APPL. 34600/2024,
CM APPL. 34601/2024

M/S GTL INFRASTRUCTURE LTD. Petitioner

Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent

Through: Mr. Prateek Jain, Adv.

70

+ CM(M) 2772/2024, CM APPL. 34635/2024, CM APPL. 34636/2024,
CM APPL. 34637/2024

M/S GTL INFRASTRUCTURE LTD. Petitioner

Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus



75
+ MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.
CM(M) 2778/2024, CM APPL. 34682/2024, CM APPL. 34683/2024,
CM APPL. 34684/2024
M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

77
+ MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.
CM(M) 2780/2024, CM APPL. 34688/2024, CM APPL. 34689/2024,
CM APPL. 34690/2024
M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

78
+ MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.
CM(M) 2781/2024, CM APPL. 34695/2024, CM APPL. 34696/2024,
CM APPL. 34697/2024
M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

81
+ MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.
CM(M) 2786/2024, CM APPL. 34763/2024, CM APPL. 34764/2024,
CM APPL. 34765/2024



M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.

82

+ CM(M) 2787/2024, CM APPL. 34766/2024, CM APPL. 34767/2024,
CM APPL. 34768/2024

M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.

83

+ CM(M) 2788/2024, CM APPL. 34770/2024, CM APPL. 34771/2024,
CM APPL. 34772/2024

M/S GTL INFRASTRUCTURE LTD. Petitioner
Through: Mr. Swetank Shantanu, Mr. Pratap
and Mr. Ankit Kumar, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent
Through: Mr. Prateek Jain, Adv.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER
31.05.2024

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1. The supervisory jurisdiction of this Court has been invoked under



Article 227 of the Constitution of India to impugn the order dated 03.01.2024 passed by learned Presiding Officer, Appellate Tribunal, MCD (“Appellate Tribunal”) whereby the learned Appellate Tribunal was pleased to dismiss the application filed by the petitioner for waiver of cost of Rs. 2,000/- and Rs. 3,000/- imposed upon the petitioner vide orders dated 16.01.2023 and 19.04.2023 respectively.

2. Learned counsel for the petitioner submits that as far as cost of Rs. 2,000/- imposed vide order dated 16.01.2023 is concerned, he is not impugning the order, however, with respect to cost of Rs. 3,000/- imposed vide order dated 19.04.2023, the same should be waived.

3. Learned counsel further submits that the counsel Mr. Pratap Shankar could not appear on 19.04.2023 as his mother was hospitalized and admitted in ICU. Learned counsel submits that unfortunately, his mother passed away after four days. Therefore, cost imposed of Rs. 3,000/- be waived as the non-appearance on behalf of the counsel was beyond his control.

4. Issue notice.

5. Mr. Prateek Jain, learned counsel for respondent appears on advance notice and accepts notice.

6. Learned counsel for the respondent submits that the petitioner has not been able to place on record any illegality and perversity in the order, therefore, the petition is not maintainable.

7. Submissions heard. Impugned order perused.

8. Learned Appellate Tribunal has recorded that the petitioner herein had taken multiple adjournments on last various dates. Accordingly, on 19.04.2023, cost of Rs. 3,000/- was imposed and a last opportunity was granted for addressing arguments on the appeal



9. In the impugned order dated 03.01.2024, learned Appellate Tribunal has observed that the vakalatnama filed on behalf of the petitioner had been signed by six advocates and in these circumstances, other advocates could have appeared.

10. Learned counsel for the petitioner submits that the advocates have divided the work amongst themselves and this case was assigned to Mr. Pratap Shankar and due to unavoidable reasons on the said date of hearing, he could not appear before the learned Appellate Tribunal.

11. Having considered the submissions and the reasons assigned by the learned counsel for the petitioner for non-appearance of advocate Mr. Pratap Shankar on the said date of hearing, order dated 19.04.2023 qua imposition of cost of Rs. 3,000/- is set aside.

12. In view of above, petitions along with pending applications stand disposed of.

SHALINDER KAUR, J

MAY 31, 2024/ss