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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 8391/2024, CM APPL. 34535/2024 (stay) and CM APPL. 36864/2024 (directions)

GURINDER SINGH .....Petitioner

Through: Mr. Kanwal Chaudhary, Adv.

versus

MUNICIPAL CORPORATION OF DELHI .....Respondent

Through: Mr. Manu Chaturvedi, SC with  
Ms. Devika Singh Roy  
Chowdhary, Adv. for R-1.

**CORAM:**  
**HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV**

**ORDER**  
**08.07.2024**

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1. This writ petition earlier came to be listed before this Court and *vide* order dated 04.07.2024, the respondent-MCD was directed to take instructions and to file a reply.
2. During the pendency of this petition, the learned counsel who appears for the respondent, places on record a copy of the order dated 10.06.2024 which has been passed under Section 345A of the Delhi Municipal Corporation Act, 1957 (hereinafter 'DMC Act'). He, therefore, submits that the order dated 10.06.2024 is appealable under Section 347B of the DMC Act before the Appellate Tribunal-MCD.
3. Learned counsel appearing for the petitioner, however, submits that on account of non-availability of the Presiding Officer of the Appellate Tribunal-MCD, the said Tribunal is non-functional and therefore, he may not be able to obtain necessary interim.



4. Having considered the submissions so made, the Court deems it appropriate to dispose of the instant writ petition with the following directions :-

- (i) Let the petitioner to take appropriate remedy before the Appellate Tribunal-MCD within four working days from today.
  - (ii) On filing of the appeal before the Appellate Tribunal-MCD, the respondent is restrained to take any further coercive steps till the application for interim relief is heard and decided by the Appellate Tribunal-MCD.
  - (iii) All rights and contentions of the parties are left open.
5. With the aforesaid directions, the petition stands disposed of.

**PURUSHAINDR KUMAR KAURAV, J**

**JULY 8, 2024/p**