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

+ **W.P.(C) 8628/2024 & CM APPL. 35329/2024**

ASMA PARVEEN

.....Petitioner

Through: Mr. Rajat Aneja, Ms. Garima Saxena
& Mr. Utkarsh Mishra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Ms. Latika Malhotra, Adv. for DDA.
Mr. Mohit Bhardwaj, Adv. for R-3.
Mr. Mukesh Gupta SC with Mr.
Shashi Gupta & Mr. Arnav Gupta,
Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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07.08.2024

1. The respondent-Corporation in terms of paragraph no. 8 of its status report has taken the following position:-

"8. That the matter regarding action against the subject Property No. I-101 is also subject matter of the CONMT. PET (C) No.335/2021 in W.P.(C) No.467711985 titled as Sultana Shaheen Vrs. Durga Shankar Mishra & Others, which is pending before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court vide order dated 14.12.2022 called for the report from the Monitoring Committee. Vide order dated 21.03.2023, the Hon'ble Supreme Court directed the MCD and DDA to file their respective response to the report of the Monitoring Committee. in compliance with the order dated 21.02.2023, the MCD filed the status report before the Hon'ble Supreme Court. The relevant portion of the status report of MCD is being reproduced as under:-
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2. Learned counsel for the petitioner submits that although the petitioner has made an endeavour to initiate certain proceedings before the Supreme Court to redress his grievance, however, independent to the aforesaid steps, the petitioner can still maintain the instant writ petition.
3. However, the Court is of the considered opinion that when the impugned action is sought to be taken pursuant to the directions passed by the Supreme Court, no interference in the instant writ petition can be made. At this stage, learned counsel for the petitioner seeks liberty to withdraw the instant petition with liberty to pursue further remedy in accordance with law. Reserving all rights and contentions, the prayer for withdrawal of the petition, at this stage, is accepted.
4. Accordingly, the instant petition is disposed of as withdrawn.

PURUSHAINdra KUMAR KAURAV, J

AUGUST 7, 2024/DA