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

+ **W.P.(C) 8671/2024 & CM APPL. 35456/2024**

JOSEPH MARTIN F THROUGH ITS

ATTORNRY MR EMANVAL

..... Petitioner

Through: Mr. M.G. Vacher, Advocate

versus

MUNICIPAL CORPORATION OF DELHI

THROUGH ITS COMMISSIONER

..... Respondent

Through: Mr. Tushar Sannu, Standing Counsel
with Mr. Hardik Saxena, Advocate

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

21.06.2024

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1. The present petition is filed under Article 226 of the Constitution seeking directions to the respondent not to reseal the property bearing no. G-439-440, Shakur Pur, J.J. Colony, Delhi with the following prayers:-

i) Issue a writ of mandamus or any other appropriate writ, order or directions, which this Hon'ble Court deems fit and proper, thereby directing the respondent not to reseal the property bearing No.G-439 & G-440, J.J. Colony, Shakurpur, Delhi - 110034;

ii) Pass any other order, which this Hon'ble Court deems fit and proper in the facts and circumstances of the case, in favour of the petitioner.

2. Mr. Tushar Sannu, Standing Counsel who is appearing on advance notice on behalf of the respondent stated that the property bearing no. G-439-440, Shakur Pur, J.J. Colony, Delhi, as per the instructions, has already



been resealed on 13.06.2024 as the petitioner has failed to carry out the rectification within 15 days in pursuance of the order dated 29.05.2024 passed by the respondent. The relief claimed by the petitioner in the present petition has become infructuous.

3. Mr. M.G. Vacher, Advocate for the petitioner stated that he shall be initiating appropriate legal proceedings before the Appellate Tribunal, MCD in accordance with law and seeks permission to withdraw the present petition.

4. The present petition along with pending application is allowed to be dismissed as withdrawn, with liberty to the petitioner to initiate legal proceedings against the action of the MCD for resealing the property bearing no. G-439-440, Shakur Pur, J.J. Colony, Delhi before the appropriate forum of competent jurisdiction in accordance with law.

DR. SUDHIR KUMAR JAIN
(VACATION JUDGE)

JUNE 21, 2024

N/ABK