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

+ **W.P.(C) 9142/2024 & CM APPL. 37401/2024**

**KISHAN PAL SINGH THROUGH POA HOLDER MANJU
KUMAR**

.....Petitioner

Through: Ms. Bhavana Duhoon, Mr. Anshul
Syal, Ms. Shreya Tyagi, Adv.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Ranjeet Pandey SC for MCD
with Ms. Mansha, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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11.07.2024

1. Learned counsel for the petitioner submits that she has already approached the Appellate Tribunal for Municipal Corporation of Delhi ('AT- MCD') and prayed for a stay till the appeal is taken up for hearing before the AT-MCD.

2. The Court has also noted in various matters that the Presiding Officer before the AT-MCD is not available, and therefore, the remedy which the petitioner avails, as of now is not efficacious. In any case, the grievance raised by the petitioner will have to be appropriately adjudicated.

3. Keeping in mind the submissions made in the instant writ petition and considering the similar order that the Court is passing in various other matters, the Court finds to dispose of the instant petition with the following



directions:-

- a) The respondents are restrained from taking any demolition action against the petitioner till the petitioner's application for stay is decided by the AT-MCD.
- b) All rights and contentions are left open.

PURUSHAINDR KUMAR KAURAV, J

JULY 11, 2024/DA