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

+ **W.P.(CRL) 2131/2024**

MUNICIPAL CORPORATION OF DELHI

.....Petitioner

Through: Mr. Pritish Sabharwal and Ms.
Shweta, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC with Ms.
Spriha Bhandari, Ms. Charu Sharma,
Mr. Arjit Sharma, Mr. Vaibhav Vats,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **19.07.2024**

CRL.M.A. 20695/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 2131/2024 & CRL.M.A. 20694/2024

1. The present petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C has been filed by the Petitioner/MCD challenging the Order dated 31.05.2024, passed by the Ld. MM, South East District, Saket Courts, Delhi wherein the Ld. Magistrate was of the opinion that Deputy Commissioner, MCD is not satisfactorily answering the queries raised by the Court.

2. On 18.07.2024 this Court passed the following Order:

“1. The present petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C has been filed by the Petitioner/MCD challenging the Order dated 31.05.2024 passed by the Ld. MM, South



East District, Saket Courts, Delhi wherein the Ld. Magistrate was of the opinion that Deputy Commissioner, MCD is not satisfactorily answering the queries raised by the Court.

2. Learned Counsel appearing for the Petitioner/MCD states that the Commissioner has been vigilant in taking all necessary steps as required under law. He states that the Deputy Commissioner, MCD along with the concerned officials with complete file shall be present in Court to explain the steps taken by them and further proceedings may be initiated only after the entire material is perused by the Court to satisfy its conscious that there is no dereliction of duty on the part of the Officer and Officer has been vigilant in performing her duties.

3. In view of the above, this Court is not inclined to proceed further. The Trial Court is requested to hear the case to satisfy itself as to whether to proceed further with the case or not.

4. List on 19.07.2024 at 03:00 PM for further proceedings.

5. The Deputy Commissioner, MCD is present in Court today. The appearance of Deputy Commissioner, MCD is exempted for tomorrow.”

3. Today, Mr. Pritish Sabharwal, learned Counsel for the Petitioner, states that the Deputy Commissioner, MCD, appeared before the learned MM and has explained the action taken by the Corporation to the satisfaction of the learned MM and the Show Cause Notice to initiate contempt proceedings have now been dropped against the Petitioner.

4. In view of the above, the Writ Petition has become infructuous.



Accordingly, the same is disposed of as infructuous, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JULY 19, 2024

Rahul