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

+ **CONT.CAS(C) 1742/2023 & CM APPL. 29418/2024**

MS. SHAIL SHUKLA

..... Petitioner

Through: Mr. Udit Sah & Mr. Dilip Singh, dvs.

versus

SHUBHASHISH PANDA, VC, DDA

..... Respondent

Through: Ms. Manika Tripathy, SC with Ms.
Sapna Chauhan, Adv. for DDA.

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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

16.05.2024

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CM APPL. 29418/2024

1. After some arguments, learned counsel appearing for the petitioner seeks to withdraw the present application.

2. Accordingly, the present application is dismissed as withdrawn.

CONT.CAS(C) 1742/2023

3. Learned counsel appearing for the respondent points out that against the judgment dated 16th October, 2023 passed in *W.P.(C) No. 8519/2011*, an appeal being *LPA No. 292/2024* had been filed by the respondents. She further submits that the said appeal has been dismissed vide order dated 10th April, 2024, with liberty to file a review petition within a period of four weeks.

4. The order dated 10th April, 2024, passed by the Division Bench of this Court in *LPA No. 292/2024*, reads as under:



“C.M.No.21630/2024 & 21632/2024

1. Keeping in view the averments in the application, the delay in filing and re-filing the present appeal is condoned.

2. Accordingly, the applications stand disposed of.

C.M.No.21631/2024

3. Exemption allowed, subject to all just exceptions.

4. Accordingly, the application stands disposed of.

LPA 292/2024 & C.M.No.21629/2024

5. After some arguments, learned counsel for the appellant wishes to withdraw the present appeal with liberty to file a review petition before the learned Single Judge.

6. With the aforesaid liberty, present appeal is dismissed as withdrawn along with the application.

7. However, this Court clarifies that it has not commented on the review petition to be filed. It is directed that in the event, review petition is filed within four weeks, the same- shall not be dismissed on the ground of limitation or delay.”

5. Learned counsel for the DDA submits that in terms of the liberty granted by the Division Bench, a review petition has already been filed on 30th April, 2024 and thereafter re-filed on 08th May, 2024. Thus, she submits that the said review petition is likely to be listed shortly.

6. Accordingly, the present petition is disposed of, with liberty to the petitioner to revive the present petition, subject to any order that may be passed in the review petition.

7. The next date of hearing, i.e., 28th October, 2024 stands cancelled.

MINI PUSHKARNA, J

MAY 16, 2024/kr