



\$~45

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

+ LPA 837/2024 & CM APPL. 49110/2024, CM APPL. 49111/2024,
CM APPL. 49112/2024, CM APPL. 49113/2024

NIZAMUDDIN

....Appellant

Through: Mr. Jitender Mehta, Mr. Lalit Kumar
and Mr. Shivam Pahal, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Sanjeev Sabharwal, Senior Panel
Counsel for UOI with Ms. Shweta,
Advocate.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

%

28.08.2024

1. Present appeal has been preferred under Clause X of the Letters Patent Act, 1866 assailing the judgement dated 30th May, 2024 passed by the learned Single Judge of this Court, whereby the writ petition filed by the appellant herein was dismissed and the appellant was directed to vacate the stall within a period of three (3) months.
2. With the consent of the parties, the matter is taken up for disposal.
3. The present appeal is similar to the appeal decided by this Court on 9th August, 2024 being LPA No. 770/2024 "*M/s Veer & Company Graduate Partnership Concern & Anr vs. Union of India & Ors*" whereby the said appeal was dismissed. It has been brought to this Court's notice that the said order dated 9th August, 2024 was challenged by way of a Special Leave



Petition (for short ‘SLP’) being SLP(C) No. 19229/2024 “*M/s S Veer & Company Graduate Partnership Concern & Anr. vs. Union of India & Ors.*”. It is stated that the said SLP was taken up for hearing today and disposed of allowing extension of four (4) months on account of *dies non* period effective from today subject to filing of an undertaking within a period of four (4) weeks.

4. The order dated 27th August, 2024 passed in SLP(C) No. 19229/2024 “*M/s S Veer & Company Graduate Partnership Concern & Anr. Vs. Union of India & Ors.*” is reproduced hereunder:-

“1. Heard the learned counsel appearing for the respective parties.

2. We are not inclined to interfere with the impugned judgment and order passed by the High Court. We however extend the time granted by the learned Single Judge of the High Court in its order dated 29.05.2024 by four months from today. All the allottees shall vacate and handover the vacant possession of the stalls in question before the expiry of four months subject to filing of the usual undertaking before the Registry of this Court within four weeks from today.

3. Accordingly, the Special Leave Petition is disposed of.

4. Pending application(s), if any, shall stand disposed of.”

5. Learned counsel appearing for the appellant states that similar directions as above be passed in the present appeal too, since it raises the same issue.

6. After having heard the learned counsel and in deference to the order of the Supreme Court dated 27th August, 2024, in SLP(C) No. 19229/2024 “*M/s S Veer & Company Graduate Partnership Concern & Anr. vs. Union of India & Ors.*”, this Court finds no ground to interfere with the impugned order, but grants four (4) months extension from today to the appellant to vacate his stall in question subject to filing of an affidavit of undertaking by the appellant to the effect that he will vacate his stall within the aforesaid



extension/time so granted with the Registrar General of this Court within four (4) weeks from today.

7. In view of the aforesaid, the present appeal along with pending applications is disposed of with no order as to costs.

8. Since there are number of matters similarly placed as above appeal pending in Registry of the Court at various stages, it is directed all such matters be listed before this Court on 30th August, 2024 for disposal.

ACTING CHIEF JUSTICE, J

TUSHAR RAO GEDELA, J

AUGUST 28, 2024/rl