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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3321/2024 & CM APPL. 51104/2024**
MANOJ KUMAR TYAGI

.....Petitioner

Through: Mr. Arun M. And Ms. Radhika C.,
Advocates.

versus

MUNICIPAL CORPORATION OF DELHI & ANR.

.....Respondents

Through: Mr. Ajjay Aroraa, Mr. Kapail Dutta
and Mr. Vansh Luthra, Advocates.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **03.09.2024**

CM APPL. 51105/2024 (Exemption)

Exemption allowed, subject to all just exceptions.

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1. The petitioner has filed an appeal before the learned Appellate Tribunal, MCD. Such appeal was also accompanying an application seeking stay of the demolition.
2. However, when the aforesaid appeal was taken up by the learned Tribunal, it directed the issuance of notice.
3. According to the learned counsel for the petitioner, since no stay was granted by the learned Tribunal, he apprehends that the appeal may become infructuous.
4. It is quite obvious from impugned order dated 28th August, 2024 that the appellant was duly represented before the Tribunal and it is not very clear

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as to why the counsel for the appellant did not press the above said application seeking stay of the demolition.

5. After hearing arguments for some time, learned counsel for the petitioner prays that he may be permitted to withdraw the present petition with liberty to file immediate application seeking early hearing with respect to the above said application seeking stay of the demolition.

6. Learned counsel for the MCD, who appears on advance notice, has no objection if the application to that effect is moved before the learned Tribunal.

7. The present petition stands disposed of in the aforesaid terms.

MANOJ JAIN, J

SEPTEMBER 3, 2024/ss