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

+ **W.P.(C) 158/2024 &CM APPL. 734/2024**

RAJU CHAUDHARY

..... Petitioner

Through: Mr. Sandeep Sharma, Mr. Mohd. Sahid, Ms. Swati Surbhi, Mr. Amit Chaudhary and Ms. Kavya, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ANR. Respondents

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

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

05.01.2024

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CM APPL No. 735/2024 (Exemption)

1. Exemption allowed subject to just exceptions.
2. Application stands disposed of.

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3. The present petition assails a Sealing Order dated 27.12.2016 and the consequent Vacation Notice dated 28.11.2023 and the demolition programme in respect of the Property No. 219, Near Liquor Shop, Main Road Khichripur Village, Delhi.
4. After some hearing, learned counsel for the petitioner concedes that the Sealing Order dated 27.12.2016 as also the Demolition Order (referred to in Vacation Notice dated 28.11.2023) is appealable.
5. In the circumstance, this petition is disposed of with liberty to the petitioner to file an appropriate appeal assailing the aforesaid Sealing Order



and the Demolition Order before the ATMCD.

6. Let copy of the Demolition Order be supplied to the learned counsel for the petitioner by the respondent within a period of 4 days from today.

7. It is further directed that no coercive steps/precipitative action shall be taken by the respondent in respect of the concerned property for a period of 4 weeks from date of this order, to enable the petitioner to approach the ATMCD.

8. It is made clear that this Court has not examined the merits of the case of the petitioner and the ATMCD will be at liberty to pass requisite orders, in accordance with law.

9. Learned counsel for the petitioner further submits that there are some perishable goods lying in the basement and ground floor of the property in question.

10. Learned counsel for the respondent states that the respondent shall depute an officer in whose presence the petitioner shall be permitted to remove those goods. Let the same shall be done within a period of one week from today.

11. The present petition along with all pending applications stands disposed of.

SACHIN DATTA, J

JANUARY 5, 2024/AT