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

+ **W.P.(C) 12795/2024 & CM APPL. 53372/2024**

AMIT SAXENA

.....Petitioner

Through: Mr. Ramesh Singh, Sr. Adv. with Mr. Cheitanya Madan, Ms. Srishti Banerjee, Mr. Shashikant and Mr. Vikram Singh, Advs.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Appearance not given.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **12.09.2024**

CM APPL. 53373/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 12795/2024 & CM APPL. 53372/2024

3. The petitioner in the instant writ petition has sought for the following relief:-

“(i) issue a writ of prohibition along with declaration that the Impugned Action of the Respondent threatening to demolish the Petitioner's properties bearing no. GC 28, 29, 30, 31, G Block, Hari Nagar, New Delhi -110058 is illegal; and/or

(ii) issue a writ of prohibition and restrain the Respondent from taking any steps including but not limited to demolish the Petitioner's properties bearing no. GC 28, 29, 30, 31, G Block, Hari Nagar, New Delhi -110058.”



4. A perusal of the prayer would indicate that the petitioner herein is seeking for the issuance of a writ in the nature of prohibition to the respondent-Corporation from taking any demolition action with respect to property bearing No. GC 28, 29, 30, 31, G Block, Hari Nagar, New Delhi-110058.
5. Learned senior counsel appearing for the petitioner, when confronted as to how the instant writ petition can be maintainable on an alleged threat, he submits that upon filing of the instant writ petition, the respondent-Corporation has issued an order dated 10.09.2024 and the said order is adverse to the interests of the petitioner.
6. He, therefore, prays for time to amend the writ petition.
7. The Court, however, is not inclined to entertain the said request to permit the petitioner to amend the instant writ petition.
8. The petitioner shall be at liberty to file a fresh writ petition in accordance with law.
9. With the aforesaid liberty, the instant writ petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

SEPTEMBER 12, 2024/p