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

+ W.P.(C) 4933/2024, CM APPL. 20207/2024, CM APPL. 20208/2024
& CM APPL. 20209/2024

CHETWANI (SINCE DEAD) THROUGH LRS. SATBIR

..... Petitioner

Through: Mr. Jamnesh Kumar, Mr. Shishu Pal
Singh and Mr. Rajpal Singh,
Advocates.

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: Ms. Mehak Nakra, ASC (Civil) and
Mr. Devansh Solanki, Advocate for
R-1

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+ W.P.(C) 4937/2024, CM APPL. 20217/2024, CM APPL. 20218/2024
& CM APPL. 20219/2024

ATTAR SINGH SINCE DEAD THROUGH LRS

..... Petitioner

Through: Mr. Jamnesh Kumar, Mr. Shishu Pal
Singh and Mr. Rajpal Singh,
Advocates.

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Rishikesh Kumar, ASC with Ms.
Sheenu Priya, Mr. Atik Gill and Mr.
S.K. Shukla, Advocates.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA



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ORDER
04.04.2024

(The proceeding has been conducted through Hybrid Mode)

1. Mr. Jamnesh Kumar, learned counsel for the petitioner submits that in similar petition bearing W.P.(C) No.4766/2024 captioned as ***Inderjit vs. Govt. of NCT of Delhi & Ors.*** vide the order dated 02.04.2024, this Court gave liberty to the petitioner to withdraw the petition to approach the Civil Court of competent jurisdiction for redressal of his grievances.
2. Learned counsel for the petitioner submits that in the present case too, similar order be passed.
3. This Court has heard the learned counsel for the petitioner. The order passed in W.P.(C) 4766/2024 dated 02.04.2024 is extracted hereunder:-

*“1. Learned counsel submits that since the impugned order dated 31.07.2023 has rejected the case bearing Appeal No. 65-83/1997 captioned as “Gaon Sabha Pandwala Khurd vs. Phool Singh & Ors.” on the basis of the notification under Section 507(a) of the DMC Act, 1957 dated 16.05.2017 coupled with the reliance on the ratio laid down by the Supreme Court in **Mohinder Singh (Dead) Through LRs and Anr. vs. Narain Singh and Ors** reported in 2023 SCC OnLine SC 261, the petitioner be permitted to raise the present dispute before the court of competent jurisdiction.*

*2. In view of the aforesaid statement and keeping in view the judgments of this Court in W.P.(C) 16180/2023 captioned as **Umrao Singh vs. Govt. of NCT of Delhi & Ors., Radiance Fincap (P) Ltd. vs. State (NCT) of Delhi** reported in 2023 SCC OnLine Del 3432 and **Praveen Jain vs. Financial Commissioner & Others** in W.P.(C) 3827/2024 dated 14.03.2024, the petitioner is permitted to withdraw the present petition for adjudicating the disputes raised therein before the civil court of competent jurisdiction.*

3. In view of the above, the present petition along with pending applications is dismissed as withdrawn with the liberty so sought, granted.”



4. In view of the above order and statement of the learned counsel appearing for the petitioner the present petition is dismissed as withdrawn with the liberty so sought, granted.

TUSHAR RAO GEDELA, J

APRIL 4, 2024/ns