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

+ W.P.(C) 7764/2018 & CM APPL. 29798/2018

REKHA GUPTA & ANR

.....Petitioners

Through: Mr. Ashish Mohan and Ms. Rashi
Gupta, Advocates.

versus

SOUTH DELHI MUNICIPAL
CORPOATION & ORS

.....Respondents

Through: Ms. Ankita Sarangi, Advocate for
MCD.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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14.10.2024

1. By way of the present writ petition, filed under Article 226 of the Constitution, the petitioners assail an order dated 11.06.2018 ["impugned order"], by which they were directed to refill and rectify a basement constructed on their property, A-16/A Raju Park, Khanpur, New Delhi-110062.
2. The principal contention taken in the writ petition is that the impugned order was issued without giving a show cause notice to the petitioners.
3. Mr. Ashish Mohan, learned counsel for the petitioners, states that during the pendency of the writ petition, the petitioners have been given a personal hearing, and subsequently a demolition order dated 17.11.2023 has been passed. Mr. Mohan further submits that the



petitioners have assailed the said demolition order before the Appellate Tribunal of Municipal Corporation of Delhi, and the appeal (Appeal No. 804/2023) remains pending.

4. In view of the above, Mr. Mohan seeks permission to withdraw this petition with liberty to agitate the petitioners' grievances in the said appeal.

5. The petition, alongwith the pending application, is dismissed as withdrawn with liberty as aforesaid.

PRATEEK JALAN, J

OCTOBER 14, 2024/MR/