



\$~60

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

+ W.P.(C) 2444/2025 and CM APPL. Nos. 11617/2025

SARDARA SINGH

.....Petitioner

Through: Mr. Anuj Kumar Garg, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Vikas Chopra, Standing Counsel
for MCD.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **28.02.2025**

CM APPL. 11618/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 2444/2025 and CM APPL. Nos. 11617/2025

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India for a direction to MCD to pass order de-sealing property bearing Plot No.D-7/2, Okhla Industrial Area, Phase-II, New Delhi sealed on 11.11.2005.
4. From a reading of the writ petition, it is clear that Petitioner filed a Civil Suit bearing No.82576/2016 before the Trial Court for a direction to MCD to de-seal the premises and hand over physical possession, which was dismissed vide judgment and decree dated 28.04.2017 as time barred. Appeal bearing RCA No.127/2017 filed against the said decree was dismissed on 19.02.2019. No steps have been taken to assail the said orders by the Petitioner and in my view, this writ petition is not the appropriate remedy.
5. After canvassing some arguments learned counsel for the Petitioner



seeks to withdraw this writ petition to take recourse to appropriate remedies including challenging the Appellate order dated 19.02.2019.

6. Writ petition is disposed of as withdrawn along with pending application, without entering into the merits of the case, with liberty to take recourse to appropriate remedies, in accordance with law. Question of limitation which may arise if the Petitioner takes recourse to any other remedy is left open.

JYOTI SINGH, J

FEBRUARY 28, 2025/YA