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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of Decision: 17th April, 2025***

+ CM(M) 689/2025, CM APPL. 22282/2025 & CM APPL. 22283/2025

IRSHAD MALIK

.....Petitioner

Through: Mr. Amreek Singh, Advocate.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Sunil Goel, Standing Counsel for
MCD with Mr. Himanshu Goel and
Ms. Varsha, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner has filed an appeal which is pending adjudication before the learned Presiding Officer, Appellate Tribunal, MCD. It has been registered as A.No.56/2025.
2. The grievance in the present petition is to the effect that when on 06.03.2025, the petitioner had prayed for early hearing of his stay application, the learned Tribunal did not grant any early hearing and adjourned the matter for 21.03.2025.
3. It is, however, not made clear if there was any such apprehension in the mind of the petitioner that else the building in question would be demolished, why the present petition was not filed swiftly.
4. Moreover, when asked, it was also informed that the learned Tribunal did take up the matter on 21.03.2025 but the same has now been adjourned for 01.08.2025. Copy of the proceedings, conducted that day, has not been



placed on record.

5. Learned counsel for respondent appears on advance notice and submits that the petitioner herein has already filed a civil suit. It is submitted that such civil suit was, though, not maintainable, fact remains that in such civil suit there is a *status quo* order and, therefore, the apprehension of the petitioner, as on date, at least, seems completely misfounded.

6. Be that as it may, fact remains that grievance herein is with respect to mere denial of early hearing and since petitioner is already enjoying interim relief, *albeit*, given by a Civil Court, this Court does not find any compelling reason to invoke its supervisory powers under Article 227 of the Constitution of India.

7. The petition is, accordingly, dismissed.

8. Pending applications, if any, stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

APRIL 17, 2025
st/js