



\$~27

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

+ **W.P.(C) 11320/2022 and CM APPL. 33309/2022**

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Mr. Sanjeev Sabharwal, Standing
Counsel with Ms. Shweta Singh, Advocates.

versus

SH. SUNIL SOLANKIRespondent

Through: Ms. Akansha Solanki, Mr. Deepak
Khatri, Mr. Nikhil Kumar Singh and Mr Ashwini
Dwivedi, Advocates.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
21.01.2025

%

1. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India laying a challenge to orders dated 21.07.2022 and 27.05.2022 passed by the Appellate Tribunal, MCD in Appeal No. 447/2021.
2. Primary grievance of the Petitioner/MCD in the present petition is that the Appellate Tribunal, MCD lacked the jurisdiction to entertain the Appeal, filed by the Respondent since orders passed by the Monitoring Committee are appealable before the Judicial Committee as held by the Supreme Court in *M.C. Mehta v. Union of India & Ors., W.P.(C) 4677/1985*. Learned counsel appearing on behalf of the Respondent, on the other hand, submits that in the meantime, a significant development has taken place, wherein misuse charges in the sum of Rs.5,06,880/- have been deposited by the



Respondent and subject property bearing no. E3/92, Chanakya Place, Part-I, New Delhi has been de-sealed by the MCD. In this context, learned counsel hands over the relevant documents, which are taken on record.

3. Mr. Sanjeev Sabharwal, learned Standing Counsel appearing for the Petitioner fairly concedes this position.
4. In view of the aforesaid, this writ petition is disposed of leaving the question of law raised by the Petitioner open.
5. Interim order stands vacated.
6. Pending application stands disposed of.

JYOTI SINGH, J

JANUARY 21, 2025/jg