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

+ **LPA 396/2025**

AJIT NAGAR & ANR.

.....Appellants

Through: Mr. Atul Verma, Mr. Virender Nagar,
Mr. Ravi Kant Yadav & Ms.
Riddhima Khanna, Advs.

versus

SEEMA SULTAN & ANR.

.....Respondents

Through: Mr. Atul Verma & Mr. Virender
Nagar, Advs. for R-1.
Mr. Vikas Chopra, Standing Counsel
with Mr. Neeraj Kumar & Mr. Dipesh
Chopra, Advs. for MCD/R-2.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

% **06.06.2025**

CM APPL. 36586/2025

1. Application is allowed, subject to just exceptions.
2. The application is disposed of.

LPA 396/2025 & CM APPL.36582-585/2025

3. After some arguments, learned counsel for the appellants seeks permission to withdraw the present appeal with liberty to challenge the order dated 13.03.2025 passed by the competent authority, Municipal Corporation of Delhi under Section 343(i) of the DMC Act, 1957 directing demolition of



the subject premises.

4. Additionally, learned counsel also submits that this order was never served upon the appellants.

5. *Per contra*, Mr. Vikas Chopra, learned Standing Counsel for the respondent-MCD submits that the said order was, in fact, dispatched on 18.03.2025 and delivered on 19.03.2025 according to the tracking consignment report of the Indian Posts and, thus, this submission is not available with the petitioner.

6. Be that as it may, keeping in view the fact that the appellant submits that he never received the said demolition order, liberty is granted to the appellants to challenge the demolition order dated 13.03.2025 before the Appellate Tribunal for MCD.

7. With the aforesaid, the writ petition is disposed of.

TUSHAR RAO GEDELA, J
(VACATION JUDGE)

HARISH VAIDYANATHAN SHANKAR, J
(VACATION JUDGE)

JUNE 6, 2025/ab