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

+ W.P.(C) 10410/2018 and CM APPL. 40525/2018

BHIM SAIN BANWARI LAL (P) LTD.Petitioner

Through: Mr. Jai Sahai Endlaw, Advocate.

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR.....Respondents

Through: Mr. Mananjay Kumar Mishra,
Mr. Ganesh Kumar Bhatt and Mr. Bhanu Raj,
Advocates for Respondents/NDMC.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

28.01.2025

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1. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India assailing the impugned letter dated 24.09.2018.
2. Status report is stated to have been filed on behalf of the Respondents but the same is not on record. Copy of the same has been handed over in Court by learned counsel for Respondents during the course of hearing and is taken on record.
3. It is stated by counsel for NDMC that during the pendency of the writ petition, NDMC has resorted to proceedings under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 and a petition under Sections 5 and 7 has been filed, which is currently pending before the Estate Officer.

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4. Mr. Jai Sahai Endlaw, learned counsel for the Petitioner, on instructions, seeks to withdraw this writ petition to defend the proceedings before the Estate Officer.

5. In view of the proceedings before the Estate Officer, this writ petition is disposed of as withdrawn, along with pending application. It is made clear that this Court has neither entered into nor expressed opinion on the merits of the case and therefore, neither filing nor disposal of this writ petition will come in the way of the parties before the Estate Officer. All rights and contentions of the parties are left open, including the legality or otherwise of the impugned letter dated 24.09.2018, which was assailed in the present writ petition.

JYOTI SINGH, J

JANUARY 28, 2025

B.S. Rohella

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