



\$~65

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

+ LPA 713/2025 & CM APPL. 11120/2026

M/S HYACINTH HOTELS PVT LTDAppellant

Through: Mr. Mudit Sharma, Ms. Nandini
Sharma, Mr. Sachin Sharma and Mr.
Ritesh Dhyani, Advocates.

versus

SOUTH DELHI MUNICIPAL CORPORATION
& ORS.

.....Respondents

Through: Ms. Sunieta Ojha and Ms. Pragati
Bhatia, Advocates for MCD.
Ms. Avni Singh, Panel Counsel with
Mr. Vaibhav Sharma, Advocate for
GNCTD.
Ms. Meera Bhatia and Mr. Anubhav
Tyagi, Advocates for R3/UoI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

18.02.2026

%

1. Mr. Akhil P. Chhabra, Advocate appears and states that he may be permitted to withdraw his *vakalatnama*. Accordingly, the *vakalatnama* filed by Mr. Akhil P. Chhabra is permitted to be withdrawn and he is discharged.

CM APPL. 11085/2026

2. This is an Application filed on behalf of the Appellant seeking withdrawal of the present Appeal.

3. Mr. Mudit Sharma, learned Counsel representing the Appellant states that the Appellant may be permitted to withdraw this Appeal, however, an



observation may be made that such withdrawal will be without prejudice to the rights of the Appellant to seek refund / adjustment of the amount.

4. The learned Counsel representing the Respondent – Municipal Corporation of Delhi (“MCD”), however, states that such observation may prejudice the case of the MCD for the reasons that the Appellant, under the scheme, is neither entitled to refund nor any adjustment.

5. The apprehension expressed by the learned Counsel for the MCD is unfounded for the reason that if this Court permits withdrawal of the Appeal with the observation that this withdrawal shall be without prejudice to the rights of the Appellant to seek refund / adjustment, it is not going to impact the authority before whom the Appellant is likely to move any application or seek redressal regarding any adjustment / refund of the amount.

6. Accordingly, this Appeal is dismissed as withdrawn. This withdrawal will, however, be without prejudice to the rights of the Parties to seek refund / adjustment. If any such application is moved before the concerned authority seeking refund / adjustment, such application shall be decided on its own merit.

7. The next date of hearing, i.e. 23.03.2026 stands cancelled.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

FEBRUARY 18, 2026/sms