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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 714/2025 & CM APPL. 13137/2026**
BIRD AIRPORT HOTEL PVT LTDAppellant
Through: Mr. Akhil P. Chhabra with Ms. Ritu
Chhabra & Ms. Udisha Sahay,
Advocates.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS.
& ORS.Respondents
Through: Ms. Avni Singh- Panel Counsel for
Respondent No.2/GNCTD.
Mr. Vikram Jetly- CGSC with Ms.
Rupali- GP & Ms. Shreya Jetly,
Advocate for Respondent No.3/UoI.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **26.02.2026**

CM APPL. 13136/2026

1. This is an Application seeking withdrawal of the Appeal.
2. The learned Counsel for the Appellant has submitted that the Appellant may be permitted to withdraw the Appeal, however, an observation be made that such withdrawal will be without prejudice to the rights of the Appellant to seek refund / adjustment of the amount.
3. In similar circumstances, LPA 713/2025 were also permitted to be withdrawn and concerns raised by the learned Counsel for MCD that certain observation may not warranted, has been addressed by the Court in its order



dated 18.02.2026 passed in LPA 713/2025. Accordingly, the Appeal is dismissed as withdrawn.

4. 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, the same may be decided on its own merit.

5. The next date of hearing, i.e., 23.03.2026 stands cancelled. Pending Application also stands disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

FEBRUARY 26, 2026/ 'A'