

PPA No. 11/2026

Deepak Jain Vs. New Delhi Municipal Council & Anr.

10.07.2026

Present : Sh. Jitesh Sharma, Ld. Counsel for the appellant.

Sh. Nilesh Sawhney, Ld. Counsel for the respondents,
joins through VC.

Ld. Counsel for the respondent, at the outset, submits that the appeal is not maintainable as the order against which the present appeal has been filed is not passed by the Estate Officer U/s.7 or Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971. He further submits that the appeal U/s.9 of PP Act, 1971 can only be filed against an order passed by the Estate Officer U/s. 5, 5(b), 5(c) or Section 7 of the Act. He submits that it is only a speaking order regarding the arrear due against the appellant and he has been called upon to make the payment, failing which the proceedings U/s.5 & 7 of the Act shall be initiated and notice of which shall be given to the appellant, who may contest the same before the Estate Officer and only after passing of an order by the Estate Officer, if any, the aggrieved party can file an appeal U/s. 9 of the Act.

Ld. Counsel for the appellant submits that in view of the submissions made by Ld. Counsel for the respondent, he is not pressing the present appeal and wish to withdraw the same.

In view of the above facts and circumstances, the present appeal filed by the appellant against the order dated

06.04.2026 passed by the Joint Director (Estate-I), New Delhi Municipal Council is dismissed as withdrawn as the order has not been passed U/s. 7 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 by the Estate Officer against which an appeal U/s. 9 of the Act can be filed.

Appeal file be consigned to record room after due compliance.

(Pitamber Dutt)
Principal District & Sessions Judge
New Delhi District
Patiala House Courts/ND/10.07.2026