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

+ **CM APPL. 59526/2024 in**
W.P.(C) 5865/2024

MUNICIPAL CORPORATION OF DELHIPetitioner

Through: Ms. Divya Swamy, Advocate

versus

VED PRAKASH & ORS.Respondents

Through: Ms. Megna De, Advocate

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

% **ORDER**
08.10.2024
[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 59526/2024 (Directions)

1. On the very first date of hearing, no interim protection was granted to the petitioner and with the directions to issue notices, matter was adjourned to 01.10.2024. On 01.10.2024, the matter did not reach and was adjourned at 05:25 pm to 01.04.2025. Thereafter, the petitioner filed early hearing application, which was dismissed vide order dated 04.10.2024 with the observations that preponement of hearing is not possible on account of heavy board of this Court dealing with 120 cases everyday. Today, the list runs into 215 cases.

2. Now, the present application has been filed by the petitioner seeking disposal of the stay application. The above narrative clearly reflects that it would be appropriate to hear both sides before passing any stay order.



3. But at this stage, learned counsel for petitioner submits that petitioner is ready to deposit the amount of Rs. 16,34,937/- with the Registry of this Court within two weeks so that atleast the recovery proceedings initiated in favour of the present respondent no. 1 may be stayed till disposal of this petition. Copy of the Recovery Certificate has been filed as Annexure B to the application. It is submitted by learned counsel for petitioner that the remaining three respondents are yet to institute recovery proceedings, so presently the petitioner is concerned only with the respondent no. 1. On this aspect, learned counsel for respondents clarifies that respondent no. 2 also has initiated recovery proceedings and the remaining respondents also are in the process of doing so. However, learned counsel for petitioner submits that presently they are concerned only with the respondent no.1.

4. Learned counsel for respondents strongly opposes the application and seeks and is allowed four weeks to file reply.

5. In the meanwhile, subject to the petitioner depositing with Registry of this Court by way of auto-renewable fixed deposit a sum of Rs. 16,34,937/- within two weeks, the recovery proceedings initiated at behest of respondent no. 1 are stayed till next date. However, it is made clear that if the said amount is not deposited within two weeks, the said recovery proceedings shall continue further.

6. Relist on the date already fixed i.e. 01.04.2025.

GIRISH KATHPALIA, J

OCTOBER 8, 2024/as

[Click here to check corrigendum, if any](#)