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

+ **W.P.(C) 9257/2024 & CM APPL. 37925/2024**

**M/S KAPOOR BROTHERS THROUGH ITS PROP AJAY
KAPOOR**

.....Petitioner

Through: Mr.Sanjay Mishra, Ms.Stuti Mishra
and Mr.Kartikey Mittal, Advs.

versus

**COMMISSIONER MCD MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr.Siddhant Nath, SC for MCD with
Mr.Bhavishya Makhija, Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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09.07.2024

CM APPL. 37926/2024 (Exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 9257/2024 & CM APPL. 37925/2024

1. Learned counsel for the petitioner, at the outset, seeks liberty to confine his petition only to the extent of challenging the order dated 27.06.2024 (*Annexure P-32*) and seeks liberty to withdraw the challenge to the show cause notice dated 15.05.2024.
2. Learned counsel for the petitioner further submits that the impugned order dated 27.06.2024 is in violation of principles of natural justice and the class of the petitioner cannot be reduced without there being any



justification.

3. Issue notice.
4. Learned counsel appearing on behalf of respondents accepts notice. He is directed to seek instructions and to file a counter-affidavit within a period of two weeks from today.
5. List on 18.09.2024.
6. The prayer for interim relief would be considered on the next date of hearing.
7. Needless to state that since this Court is already seized with the issue as to whether the impugned order is sustainable in the eyes of law, it is directed that any subsisting contract of the petitioner shall not be adversely effected on account of impugned order dated 27.06.2024.

PURUSHAINdra KUMAR KAURAV, J

JULY 9, 2024/MJ