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

+ **LA.APP. 316/2022**

UNION OF INDIA

..... Appellant

Through: Mr. Sanjay Kumar Pathak, Mr.
Sunil Kumar Jha, Mr. M.S. Akhtar and Ms.
Rini Violet Tigga, Advs.

versus

DILAWAR SINGH & ORS.

..... Respondents

Through: Ms. Puja Kalra, Standing
Counsel with Mr. Virendra Singh, Adv. for
MCD

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

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31.10.2022

CM APPL. 46305/2022 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

LA.APP. 316/2022 and CM APPL. 46307/2022 (Stay)

3. Issue notice, returnable on 12th April 2023. Notice is accepted on behalf of MCD by Ms. Puja Kalra. Subject to depositing of the decretal amount within a period of eight weeks from today, there shall be a stay of the operation of the impugned order.

4. Let notice be served to the remaining respondents by all modes

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including *dasti* as well as through learned Counsel who appears on behalf of the said respondents before the court below, if any.

5. Learned Counsel for the MCD submits that PWD would have to be made a party in these proceedings. Learned Counsel for the petitioner seriously opposes the submission. Learned Counsel for the MCD is at liberty to file an appropriate application seeking impleadment of the PWD if she deems it appropriate setting out clearly the reason for seeking such impleadment.

CM APPL. 46306/2022 (for extension of time)

6. Mr. Pathak undertakes to deposit the court fee within two weeks from today.

7. Accordingly, the application for extension of time to deposit the court fee is disposed of.

CM APPL. 46308/2022 (for condonation of delay of 137 days in filing)

8. In view of the order passed by the Supreme Court in *Suo Moto* WP(C) 3/2020, the delay in filing the appeal is condoned.

9. The application is disposed of.

C. HARI SHANKAR, J

OCTOBER 31, 2022

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