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

+ **LA.APP. 321/2022 & CM APPL. 46646-47/2022**

UNION OF INDIA

..... Appellant

Through: Mr. Sanjay Kumar Pathak and
Mr. Sunil Kumar Jha, Advocates

versus

SMT DHANPATI & ANR

..... Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **02.02.2023**

[The proceeding has been conducted through Hybrid mode]

1. The present appeal has been placed before this Court on office note whereby it is informed that respondent no.2 is Municipal Corporation of Delhi and not DDA as noted in paragraph 6 of order dated 01.11.2022.
2. This Court has perused the memo of parties as filed before this Court and finds that the second respondent is Municipal Corporation of Delhi through its Commissioner S.P.M. Civic Centre, Minto Road, New Delhi and not the DDA as already noted in order dated 01.11.2022.
3. Necessary correction may be carried out in order dated 01.11.2022.
4. Accordingly, issue notice. Issue notice to the respondent no.2 afresh through all permissible modes, upon appellant taking steps within a week from today, additionally through counsel appearing for the respondent nos.1 and 2 before the Trial Court.
5. Mr. Sanjay Pathak, learned CGSC appearing on behalf of Union of India submits that by an inadvertence in the stay application bearing CM



APPL. 46646/2022, no orders were passed restraining the operation of the impugned order and submits that in the batch matters such stay was granted subject to deposit of the decretal amount within eight weeks.

6. In view of the fact that this appeal arise from a similar impugned order and in other identical appeals stay, subject to such deposition has been granted, this Court is of the considered opinion that it would sub-serve the interest of justice to direct the petitioner/Union of India to deposit the decretal amount within six weeks from today, subject whereof, the impugned order and execution proceedings if any taken out, shall remain stayed.

7. List on the date already fixed, i.e. 16.03.2023.

TUSHAR RAO GEDELA, J

FEBRUARY 2, 2023

Aj