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

+ **LPA 721/2019 & CM APPL. 494/2021**

NORTH DELHI MUNICIPAL CORPORATION Appellant

Through: Mr Sanjay Poddar, Sr. Adv. with Ms
Puja Kalra, Mr Govind Kumar & Mr
Virendra Singh, Advs.

versus

PUSHPA DEVI & ORS Respondents

Through: Mr Yash Kapoor, Adv. for Mr Ankur
Mittal, Adv. for R-1
Mr Siddhartha Panda & Mr Ritank
Kumar, Advs. for LAC/L&B

+ **LPA 722/2019**

NORTH DELHI MUNICIPAL CORPORATION Appellant

Through: Mr Sanjay Poddar, Sr. Adv. with Ms
Puja Kalra, Mr Govind Kumar & Mr
Virendra Singh, Advs.

versus

SARITA GUPTA & ORS Respondents

Through: Mr Yash Kapoor, Adv. for Mr Ankur
Mittal, Adv. for R-1
Mr Yeeshu Jain & Ms Jyoti Tyagi,
Advs. for LAC/L&B

+ **LPA 723/2019**

NORTH DELHI MUNICIPAL CORPORATION Appellant

Through: Mr Sanjay Poddar, Sr. Adv. with Ms
Puja Kalra, Mr Govind Kumar & Mr
Virendra Singh, Advs.

versus

TILAK RAJ JAIN & ORS Respondents

Through: Mr Yeeshu Jain & Ms Jyoti Tyagi,
Advs. for LAC/L&B
Mr Tilak Raj Jain in-person.

LPA 721/2019 & other connected matters

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CORAM:
HON'BLE MR JUSTICE RAJIV SHAKDHER
HON'BLE MS JUSTICE TARA VITASTA GANJU

ORDER
31.08.2022

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[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 29343/2020 in LPA 721/2019

**CM APPL. 29344/2020 in LPA 722/2019 [Applications filed on behalf of
the respondents for vacation of stay]**

1. Mr Sanjay Poddar, learned senior counsel who appears on behalf of the appellant/NDMC, has drawn our attention to the order dated 09.12.2020 passed by the coordinate Bench.

1.1. A perusal of the order shows that the coordinate Bench, after discussing rival contentions, albeit at a *prima facie* stage, declined to disturb the interim relief granted in favour of the appellants in the matter.

1.2. The coordinate Bench was of the view that the relief claimed in the applications for vacation of stay was in the nature of final relief.

1.3. Given this position, the applications for vacation of stay will have to be closed.

2. CM Appl Nos. 29343/2020 and 29344/2020 are, accordingly, closed.

CM APPL. 49431/2019 in LPA 721/2019

CM APPL. 49450/2019 in LPA 722/2019

CM APPL. 49452/2019 in LPA 723/2019

3. Interim order dated 18.11.2019 is made absolute, during the pendency of the appeals.

4. Accordingly, CM Appl Nos. 49431/2019, 49450/2019 and 49452/2019 are disposed of.



LPA 721/2019

LPA 722/2019

LPA 723/2019

5. Mr Ankur Mittal is the counsel-on-record for respondent no. 1 in the above-captioned matters.

5.1. A request for accommodation has been made on behalf of Mr Mittal.

5.2. The request is not opposed by counsel for the petitioner.

6. To be noted, the appellant/NDMC has filed written submissions in LPA No. 722/2019.

6.1. Mr Poddar says that the said written submissions should also be read as having been filed in the other two connected matters i.e., LPA No. 721/2019 and LPA No. 723/2019.

7. Facts concerning the above-mentioned appeals should be furnished to the Court, before the next date of hearing, in a landscape mode.

7.1. A copy of the same shall also be furnished to counsel for the respondents.

8. Since the counsel for the respondents have not filed written submissions, they are directed to do so, at least five days before the next date of hearing.

8.1. Respondents will furnish a copy of the written submissions, to counsel for the appellant.

9. Accordingly, list the matter on 23.02.2023.

RAJIV SHAKDHER, J

TARA VITASTA GANJU, J

AUGUST 31, 2022/r *Click here to check corrigendum, if any*
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