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

+ **W.P.(C) 10593/2024 & CM APPL. 43573/2024 (stay)**

INDERJEET AHUJA AND ORS

.....Petitioners

Through: Mr. Dalip Kumar Malhotra and Mr.
Rajesh Kumar Malhotra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondent

Through: Mr. AjjayAroraa, Mr. Kapil Dutta,
Mr. Vansh Luthra and Ms. Simran
Arora, Advs. for MCD.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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01.08.2024

CM APPL. 43574-75/2024 ((Ex.))

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

W.P.(C) 10593/2024 & CM APPL. 43573/2024 (stay)

3. Learned counsel appearing for the petitioner submits that this Court in W.P.(C) 10378/2024 has directed for issuance of notice and in the meantime, the protection was granted in favour of the petitioners in W.P.(C) 10378/2024.
4. Learned counsel, therefore, submits that the present petition is similar in nature and the premises in question is also the same.
5. Let the petitioners to file their personal affidavits within three working days before this Court stating therein that in case any untoward situation or unfortunate



incident occurs, the petitioner shall be personally liable for compensation, damages beside criminal case.

6. Let the petitioners to also place on record the details of their bank account and their immovable assets within seven working days.

7. Keeping in mind the submissions made by learned counsel for the petitioner and perusal of the facts would indicate that there is a chequered history to this litigation. The owner of the property scrupulously wants these premises to be vacated as the petitioners are the tenants. The action appears to have been triggered at the instance of the owner. The Court, at this stage, therefore, deems it appropriate to direct the respondent-Corporation to file the affidavit. Depending upon the affidavit to be filed by the respondent-Corporation, the Court would consider to pass further necessary directions.

8. Issue notice.

9. Learned counsel appearing on behalf of respondent nos. 1 to 3 accepts notice.

10. On the petitioners taking necessary steps, let notice be issued to respondent No.4 through all permissible modes including electronic mode, returnable on 10.09.2024.

11. In the meantime, the parties are directed to maintain *status quo*.

12. In the affidavit filed by the petitioners, they shall also undertake to not carry out any further alteration/repair till the matter is pending before this Court.

13. List on 10.09.2024.

PURUSHAINDRA KUMAR KAURAV, J

AUGUST 1, 2024/p