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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CM(M) 3159/2024**  
**NADEEM AHMED JAMLANA** .....Petitioner

Through: Mr. B P Singh with Mr. Mayank Mogra, Ms. Kavita Kashyap, Ms. Ritu Singhal, Mr. Harshikesh Vodira, Mr. Hitesh Dhawan, Advocates.

versus

**PARVEZ AHMAD JAMLANA & ANR.** .....Respondent  
Through: Mr. Ajjay Arora, Standing Counsel with Mr. Kapil Dutta and Mr. Vansh Luthra, Advocates for R-2/MCD.

**CORAM:**  
**HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER**  
% **12.08.2024**  
**CM APPL. 46148/2024 (exemption)**

Exemption allowed, subject to all just exceptions.

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1. Defendant No. 1 is aggrieved by order dated 06.07.2024 whereby his application moved under Section 151 seeking repairs has been dismissed, observing that the power of granting such permission vests with the Municipal Corporation of Delhi (in short 'MCD') as per the provision of the Municipal Corporation of Delhi Act and, therefore, defendant No. 1 should approach MCD for repair.
2. Learned counsel for petitioner states that it is a case where the defendant No. 1 need not approach MCD as the repairs that are carried out by

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the petitioner, are minor repairs.

3. Learned Standing Counsel for MCD appears on advance notice and accepts notice.

4. Let reply, if any, be filed within four weeks from today.

5. Issue notice to respondent No. 1 through all permissible modes, as also through counsel, returnable on 28.11.2024.

**CM APPL. 46147/2024 (stay)**

6. This Court is, however, not inclined to stay the proceedings.

7. Application is, accordingly, dismissed.

**MANOJ JAIN, J**

**AUGUST 12, 2024/sw**