



\$~2

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

+ **CONT.CAS(C) 1231/2025**

**BHAGWATI MARKET SHOPKEEPERS
ASSOCIATION (REGISTERED)**

.....Petitioner

Through: Mr. Madhav Khurana, Senior
Advocate with Mr. Pankaj Chopra,
Ms. Asees Kaur and Mr. Aman Tiwari,
Advocates.

versus

VIJAY KUMAR

.....Respondent

Through: Ms. Beenashaw N. Soni, SC for MCD
with Ms. Ann Joseph, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

%

15.12.2025

1. This hearing has been done through hybrid mode.

CM APPL. 77211/2025 (early hearing)

2. The present application under Section 151 of the CPC filed on behalf of the respondent/MCD seeks following prayers:-

“a) pass an order preponing the next date of hearing of the captioned appeal at the earliest possible date, and

b) pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. Issue notice.

4. Learned Senior Counsel appearing on behalf of the petitioner/non-applicant accepts notice and fairly does not oppose the present application.

5. In view of the above, the present application is allowed and disposed of accordingly.



6. Date already fixed, i.e., 28.01.2026 stands cancelled.

CONT.CAS(C) 1231/2025

7. Learned Senior Counsel appearing on behalf of the petitioner has supplied certain photographs of the proposed *tehbazari* at Tanga Stand, Moti Nagar, to point out that there is an open drain/*nala* at the aforesaid site. It is further submitted that *vide* letter dated 26.09.2025, petitioner had made appropriate representation with regard to the aforesaid issue before MCD.

8. Learned counsel appearing on behalf of the respondent/MCD seeks time to take appropriate instructions and place on record affidavit with respect to the aforesaid. Let the same be done before the next date of hearing.

9. List on 06.01.2026.

AMIT SHARMA, J

DECEMBER 15, 2025/sn