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

+ **W.P.(C) 12697/2024 CM APPL. 60249/2024 & 60250/2024**

KISHAN CHAND AND ORS.

.....Petitioners

Through: Mr. Sanjay Bansal and Ms. Manisha,
Advts.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS.**

.....Respondents

Through: Ms. Shweta Priya, Adv. for MCD.
Ms. Bharathi Raju, SPC and Mr. Amit
Acharya, G.P. for UOI/R-2 and R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

10.02.2025

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1. The learned counsel appearing for the MCD seeks additional time to file a counter affidavit. The MCD shall file a comprehensive counter affidavit traversing the allegations and averments made in the petition within a period of two weeks from date. Rejoinder, if any, be filed within a period of one week thereafter.

2. The affidavit filed by the MCD does not appear to traverse some of the relevant averments made in the petition including that the petitioners have been paying property tax for the several years in respect of the structures raised by them and MCD has been regularly issuing receipts for the said property tax. If the aforementioned averments are accepted then it would be difficult to accept the MCD's contention that the petitioners are



mobile vendors as is now contended on its behalf.

3. List on 20.03.2025.

VIBHU BAKHRU, J.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 10, 2025

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Click here to check corrigendum, if any