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IN THE HIGH COURT OF DELHI AT NEW DELHI

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LA.APP. 105/2016 & CM APPL. 36403/2017

NORTH DELHI MUNICIPAL CORPORATION Appellant

Through: Mr. Sanjay Vashishtha, Standing Counsel
for MCD

versus

NARESH GUPTA & ANR

..... Respondents

Through: Sh. Achin Saxena & Sh. Aman Mehrotra,
Advocates for R-1 (9818008795)
Ms. Nidhi Thakur, Advocate for
Mr. Sanjay Kr. Pathak, Advocate for
UOI (9910770311)

CORAM: MS. KAUSHLYA VERMA, REGISTRAR

ORDER

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08.04.2024

1. This Court notes that vide order dated 18.12.2023, appellant-MCD was granted further time to file the written synopsis, compilation of judgments with an index and convenience compilations within a period of eight weeks, failing which the same was directed to be taken on record by the Registry subject to payment of costs of Rs.10,000/- to be deposited with the Secretary, Delhi High Court Legal Services Committee.
2. The directions to the MCD to file the written synopsis etc., as recorded in para 1 above, emanates from the directions dated 10.03.2023 passed by the Hon'ble Court.
3. Subsequently, by virtue of order dated 29.08.2023, particularly para 3 thereof, it was directed to appellant-MCD to prepare written synopsis along with compilations of judgments with an index and convenience compilations in LA APP 557/2009 and



LA APP 452/2009 and send the same to learned counsel for appellant in LA Appeal No. 84/2021, who was directed to finalise the same and place it on record.

- 4. Learned counsel for MCD has not taken any steps pursuant to the said directions passed by the Hon'ble Court, although more than eleven months have elapsed since the passing of the order directing the MCD to file written submissions etc..**
5. Learned counsel for appellant in LA APPL 84/2021 submits that although his written submissions were dependent upon the written synopsis and convenience compilation of appellant-MCD in LA APP.557/2009 and LA APP.452/2009, however, as the MCD has not filed their written synopsis despite repeated directions, he, on his own, has filed written submissions in LA APPL.84/2021.
6. He further submits that now judgments with index are required to be filed by the appellant in LA APP.84/2021, which would be filed after MCD sends/files its convenience compilations, written submissions and judgments with index.
7. In the interest of justice, one final opportunity is granted to the appellant-MCD to take steps in terms of para 2, 2.1 and 3 of order dated 29.08.2023 within four weeks failing which Registry is directed to take on record the convenience compilation, written submissions and judgements with index of appellant-MCD, in case the same is filed beyond the extended period now granted, subject to payment of costs of Rs.20,000/- to be paid by it to the Secretary, Delhi High Court Legal



Services Committee.

8. Appellant in LA APP 84/2001 may take steps in terms of para 6 above, after the necessary directions are complied with by MCD, as per para 7 above.
9. **Further learned counsel-Sh. Achin Saxena representing respondent No.1 in LA APP 105/2016 submits that the appellant-MCD has not furnished a copy of LA APP 105/2016 to him despite the directions passed by the Hon'ble Court way back on 21.12.2016.**
10. Learned counsel for appellant-MCD is directed to furnish a complete set of present case to learned counsel for respondent No.1 within a period of four weeks so as to enable him to file reply thereto, if any.
11. Re-notify on 21.08.2024.

REGISTRAR

APRIL 8, 2024

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