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

+ **CONT.CAS(C) 431/2016**

**SUNEEL KUMAR ATREYA & ORS**

..... Petitioners

Through: Ms. Shivangi Vashishta, Adv. with  
petitioner no. 1.

versus

**AQIL AHMED & ORS**

..... Respondents

Through: Mr. Sanjeev Sabharwal, Standing  
Counsel for MCD.

**CORAM:**

**HON'BLE MS. JUSTICE SHALINDER KAUR**

**ORDER**

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**09.04.2024**

**CM APPL. 38277/2017—filed by R1 to 3 for taking the accompanying  
action taken report on record**

1. The present application has been filed on behalf of respondent nos. 1 to 3 under Section 151 of the Code of Civil Procedure, 1908 for taking action taken report on record.

2. In view of the grounds mentioned in the application, same stands allowed. Action taken report filed on behalf of respondent nos. 1 to 3 be taken on record. Application stands disposed of accordingly.

**CM APPL. 44086/2017—filed by applicants to intervene in the petition**

3. The present application has been moved on behalf of the applicants under Order I Rule 10 read with Section 151 of the Code of Civil Procedure,



1908 seeking intervention in the present contempt petition.

4. None appears on behalf of the applicants.

5. Accordingly, application is dismissed in default.

**CM APPL. 21498/2023—filed by petitioner No.1 for condonation of delay of 132 days in filing rejoinder, CM APPL. 21499/2023 filed by petitioner No.1 for condonation of delay of 88 days in re-filing rejoinder**

6. The present applications have been filed on behalf of petitioner no. 1 seeking condonation of delay of 132 days in filing and 88 days in re-filing the rejoinder.

7. In view of the ground as mentioned in the applications, the delay of 132 days in filing and 88 days in re-filing the rejoinder is condoned.

8. Applications stand disposed of.

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9. Learned counsels submit that around four status reports are there on record and the last status report was filed on 27.04.2023.

10. Short written submissions along with judgment(s) relied upon, if any, be filed by the parties within four weeks, with an advance copy to the opposite side.

11. Learned counsel for the respondents submits that property bearing no. H-36, NDSE-I has been vacated and with respect to properties bearing nos. E-80 and E-81, the owners have paid part of misuse charges and have given an undertaking to pay balance misuse charges within 15 days and thereafter, these properties shall also be cleared by the department.

12. Learned counsel for the respondents further submits that the petitioner be directed to give remaining number of properties against which the action with respect to misuse charges is required to be taken by MCD.



13. The list be accordingly provided within four weeks, with an advance copy to the opposite side.
14. On furnishing the list, MCD to file list of properties for which appropriate action shall be taken.
15. List for hearing on 01.08.2024.

**SHALINDER KAUR, J.**

**APRIL 09, 2024/ss**