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

+ W.P.(C) 5449/2016

VISHAL KUMAR

..... Petitioner

Through: Mr. P.P. Malhotra, Senior Advocate with
Mr. Vineet Malhotra and Ms. Sonia Malhotra,
Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL

..... Respondent

Through: Ms. Sakshi Popli with
Mr. Jitendra Kumar Tripathi, Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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20.02.2017

C.M. No.27051/2016 (by the petitioner for modification of the order dated 02.6.2016)

1. This order is in continuation of the order dated 01.2.2017, on which date, Mr.P.P.Malhotra, learned Senior Advocate for the petitioner had stated that though the petitioner has sought waiver of the order directing deposit of a sum of Rs.20,55,713/- in the name of the Registrar General and for desealing of the premises on the said condition, the petitioner is still ready and willing to deposit a FDR for the said amount in the Registry, which may be retained till the disposal of the petition, so as to secure the interest of the respondent/NDMC.

2. Today, Mr. Malhotra, learned Senior Advocate appearing for the petitioner hands over a copy of FDR No. 154203 dated 20.2.2017 drawn in

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favour of the petitioner and Mrs.Kamlesh Malhotra(a co-owner of the subject flat) issued by UCO Bank, Delhi High Court Branch for a sum of Rs.20,56,000/-. A copy thereof is also handed over to learned counsel for the respondent and is taken on record.

3. Learned counsel for the petitioner states that he shall deposit the said FDR in the Registry and he assures the court that the same will not be encashed till appropriate orders are passed in the present petition. He requests that instead of pressing the application, the main petition be heard and disposed of on the next date.

4. The petitioner is directed to deposit the subject FDR in the Registry within two days and give a written intimation of making compliance to the counsel for the respondent who shall in turn ask her officers to fix a date and time to de-seal the subject premises, in the presence of the petitioner/his counsel.

5. The application is disposed of.

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1. Pleadings are complete.

2. List for arguments on 12.4.2017, in the category of “After Notice Miscellaneous Matters”, alongwith WP(C) 10074/2015, as ordered on 02.6.2016.

HIMA KOHLI, J

FEBRUARY 20, 2017

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