



Via Video Conferencing

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

+ **W.P.(C) 6997/2016**

MOHD. YAMEEN & ORS

..... Petitioner

Through

Mr. Atul Verma and Mr. Harsh
Vardhan, Advs.

versus

UNION OF INDIA & ANR

..... Respondents

Through

Ms. Barkhka Babbar, Adv. for R-2
Mr. Varun Talwar and Mr. Sumit
Bhargava, Law Officers

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **05.01.2022**

CM APPL. 401/2022 (early hearing)

1. This is an application filed by the petitioners seeking early hearing of their application for stay being CM No.28760/2016.
2. Learned counsel for the petitioner submits that the petitioners have recently received a notice dated 16.12.2021 from the respondent no.2 directing them to enter into a leave and licence agreement with respondent no.2 on or before 31.12.2021 failing which they have been threatened with coercive steps. He submits that the petitioner is owner of the subject property having purchased the same in a public auction.
3. Issue Notice. Ms. Babbar accepts notice on behalf of respondent no.2. Keeping in view the fact that the present application only seeks early



hearing of the stay application, the same is allowed and disposed of. Consequently, the stay application being CM No.28760/2016 is taken up for consideration today itself.

CM No.28760/2016

4. Even though no reply to the application is filed, Ms. Babbar submits that the counter affidavit to the main writ petition may be treated as a reply to the present application as well. She further submits that the present petition is not maintainable as the petitioner now has an alternative remedy of approaching the Central Government by way of a representation.
5. In my view, this aspect would be taken up for consideration only at the time of final hearing. However, keeping in view the fact which is prima facie substantiated from the documents placed on record that the subject property was purchased by them in a public auction, it is directed that till the next date, no coercive steps be taken against the petitioner in pursuance to the notice dated 16.12.2021 issued by respondent no.2.
6. List on 13.04.2022.

REKHA PALLI, J

JANUARY 5, 2022
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