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

+ **W.P.(C) 5782/2015 & CM APPL. 10403/2015**

NAVAL KISHORE SHAH

..... Petitioner

Through Mr Kush Sharma, Mr Asiya Khan,
Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents

Through Mr Anuj Aggarwal, ASC, GNCTD
with Mr G.C. Shyamsundar, Advocate for R1,3
and R5.

Ms Nikita Salwan, Advocate for R4/DSIIDC.

Mr Rajan Sabharwal, Ms Bulidas, Ms Dipti
Jain, Advocate for MCD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.03.2019

1. The learned counsel appearing for the petitioner has referred to the decision of the Division Bench of this Court in ***Rajiv Singhal & Anr. v. MCD (East Delhi Municipal Corporation) & Anr. : LPA 379/2017*** decided on 27.09.2018. He submits that in view of the ratio of the said decision, the petitioner would be entitled to compensation as determined under the Motor Vehicles Act, 1988. He further submits that notwithstanding the *inter se* disputes between the parties regarding the responsibility for maintaining the water tank, the petitioner would, nonetheless, be entitled to compensation.

2. The learned counsel appearing for the respondents seek time to examine the decision and make their submissions.
3. At their request, list on 14.05.2019.
4. In the meanwhile, the learned counsel for the petitioner shall also provide a statement of calculation of the compensation claimed by the petitioner in terms of the aforesaid decision, in order to enable the respondents to examine the same.

VIBHU BAKHRU, J

MARCH 13, 2019

pkv