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

% *Date of Decision: 27th June, 2025*

+ W.P.(C) 8568/2025 & CM APPL. 37035-37036/2025

MURARI LAL

.....Petitioner

Through: Mr. Karnail Singh with Mr. Jatin
Chaudhary, Mr. Karan Bidhuri,
Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Rakesh Malhotra, Advocate
(through V.C.)

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The petitioner has already filed an appeal before the learned Appellate Tribunal, MCD which has been registered as Appeal No.360/2025.
2. The abovesaid appeal was lastly taken up by the learned Appellate Tribunal, MCD on 12.06.2025 and the matter has been fixed up for further arguments and clarification on 26.08.2025.
3. The apprehension of the petitioner is that since there is no stay as such, the Corporation may demolish his property in terms of the demolition order dated 11.04.2025. It is submitted that if any such action is taken by MCD, his appeal would be rendered infructuous.
4. Sh. Rakesh Malhotra, learned Panel Counsel for MCD appears on advance notice and does admit the fact that these days, on account of summer vacation, learned Tribunal is not functional.



5. As per the last order passed by the learned Tribunal on 12.06.2025, the appellant has already been granted an opportunity to address arguments and the case is fixed for further arguments and clarification for 26.08.2025.
6. In such a peculiar situation, when the appeal is pending adjudication before the learned Tribunal, ideally speaking, no precipitative step should be taken by the respondent Corporation, unless and until, the application seeking interim relief has been, specifically, declined by the learned Tribunal.
7. In view of the above, the present petition is disposed of with direction that no precipitative step be taken by the respondent Corporation till 26.08.2025.
8. The petition stands disposed of in aforesaid terms.
9. Pending applications, if any, also stand disposed of.
10. It is, however, made clear that this Court has not given any observation on the merits of the case as such.
11. Copy of the order be given *dasti* under the signatures of Court Master.

MANOJ JAIN, J
(VACATION JUDGE)

JUNE 27, 2025/st/pb