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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 12491/2009

KHUSHI RAM

..... Petitioner

Through: Mr. Munendra Kr. Singh and Mr. A.K. Singh, Advocates for the petitioner.

versus

COMMISSIONER OF POLICE AND ANR

..... Respondent

Through: Mr. N. Waziri, Standing Counsel with Mr. Shoaib Haider, Advocate for the respondents.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

ORDER

% 15.10.2009

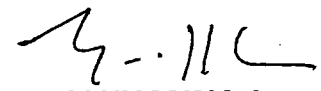
As per the impugned order, the shop in question is located in non-commercial area. It is also stated that the access area is less than 9 meters wide. Learned counsel for the petitioner disputes factual statements made in the impugned order. However, there is no material and conclusive document on record on the basis of which this factual dispute can be decided. It is not possible to adjudicate and decide the writ petition before

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Diwali.

In these circumstances, the writ petition is disposed of with liberty to the petitioner to claim costs and damages from the respondents in accordance with law. It is clarified that this Court has not expressed any opinion on merits and whether any claim for damages or costs would be maintainable.


SANJIV KHANNA, J

■ OCTOBER 15, 2009

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