

\$~6

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

+ W.P.(CRL) 2582/2014

RAKESH KUMAR Petitioner

Through : Mr. Puneet Goel, Adv.

versus

THE UNION OF INDIA & ORS Respondents

Through :Mr. Jasmeet Singh, CGSC with Mr. Srivats, Adv. for respondent nos. 1 and 2

Mr. Rajesh Mahajan, ASC for respondent no. 3 with SI Avdhesh Kumar, P.S. Farsh Bazar

Ms. Biji Rajesh, Adv. for respondent no. 6 with Mr. Varun Sharma, JLO, SDMC

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

16.04.2015

Learned counsel for the petitioner submits that the grievance of petitioner in writ petition is that his representations dated 5th September, 2011 and 10th December, 2014, sent to respondent nos. 1 to 3 for granting sanction for prosecution of respondent no. 5, have not been disposed of. He further contends that petitioner had applied for grant of health trade licence for running a sweet shop from the property bearing no. 258, Village Karkardooma, Delhi – 110092, which was not granted by respondent no. 5

since his demand of illegal gratification of ₹1,00,000/- was not met by the petitioner.

Learned Additional Standing Counsels, who are representing respondent nos. 1 to 3, submit that these respondents are not the competent authority to grant or not to grant the sanction for prosecution of respondent no. 5, as he is the employee of Municipal Corporation. Learned counsel for respondent no. 6, i.e., South Delhi Municipal Corporation, submits that respondent no. 6 is the competent authority to consider question of sanction for prosecution. She further submits that copy of the writ petition will be treated as representation and appropriate orders with regard to the sanction would be passed by the respondent no. 6 within two months.

Accordingly, this writ petition is disposed of with the directions to respondent no. 6 to consider the representations of the petitioner in accordance with law and pass a speaking order and communicate the same to the petitioner within two months from today.

A.K. PATHAK, J.

APRIL 16, 2015

rb