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

+ W.P.(C) 234/2014, CM Appl. Nos. 6648/2015, 9522/2015,
11563/2015 and 11629/2015

PRADEEP KUMAR Petitioner
Through : Mr. S.C. Sharma, Adv.

versus

NORTH DELHI MUNICIPAL
CORPORATION & ORS Respondents
Through :Ms. Prabhsahay Kaur, Adv. for
respondent no. 1 with Mr. Jasinder
Kumar, LI, Karol Bagh Zone
Mr. Siddhartha Shankar Ray, Adv. for
respondent no. 2
Mr. Amit Dubey, Mr. Vikram Dua
and Mr. Vijay Kumar, Adv. for
respondent nos. 3 and 4

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **18.03.2016**

By this writ petition, under Article 226 of the Constitution of India, petitioner has prayed that respondent nos. 1 and 2 be directed to stop the illegal activities carried out in the shops at property no. 5/1, T.C. New Moti Nagar, West Delhi and seal them. It has been further prayed that respondent nos. 3 and 4 (private respondents) be restrained from doing any commercial activity from the property no. 5/1, T.C. New Moti Nagar, West Delhi.

A perusal of order dated 15th January, 2014 shows that petitioner was mainly aggrieved by the activities carried on by the respondent nos. 3 and 4 from their shops. According to him, they were carrying on denting and painting work in the premises in question.

Status reports have been filed from time to time. Lastly, affidavit of Assistant Commissioner of the respondent no. 1 has been filed on 4th July, 2015. It has been stated therein that besides removing illegal encroachment, shop owners operating without municipal licence were challaned. It has been further stated that as per MPD-2021, the road in question has been notified as “mixed use street”. Respondent no. 3 has already been granted licence on payment of conversion charges for the mixed land use, in accordance with law. Municipal licence has been granted to the respondent no. 3 on 30th October, 2014 for carrying on the business of sale and storage of spare auto parts.

During the course of hearing, it has been pointed out that earlier respondent nos. 3 and 4 were doing the business together, but now they have separated. Respondent no. 4 has applied for a licence, which is under process. Learned counsel for the respondent no. 1 submits that shop of respondent no. 4 is lying closed. Counsel for the respondent no. 4 submits

that shop will be opened by respondent no. 4 only after grant of licence to the respondent no. 4. In view of the above, no further orders are required to be passed in this writ petition and the same is disposed of. Miscellaneous applications are disposed of as infructuous.

A.K. PATHAK, J.

MARCH 18, 2016

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