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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2694/2016

AJAY KUMAR & ANR.

..... Petitioners

Through: Mr. S.P. Verma, Advocate.

versus

THE DISTRICT JUDGE -VI (EAST) & ANR.

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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28.03.2016

CM Appl. 11406/2016 (exemption) in W.P.(C) 2694/2016

Allowed, subject to just exceptions.

W.P.(C) 2694/2016 & CM Appl. 11405/2016

Present writ petition has been filed seeking quashing of Notice dated 28th January, 2016 passed by the Office of District & Sessions Judge (East), Karkardooma Courts, Delhi, whereby the petitioners herein were informed about the resolution passed in the Minutes of Meeting of Kiosk Committee held on 28th January, 2016.

The Notice stipulates that the tender of Kiosks No.1, 3, 4, 5, 7 and 8 had been issued only for eleven months and petitioners must now vacate the aforementioned Kiosks.

Learned counsel for petitioners states that present writ petition involves the 'bread and butter' of the petitioners and therefore, they should

be allowed to continue.

However, this Court is of the opinion that petitioners have no vested/legal right to occupy the Kiosks in perpetuity. The Kiosks constitutes public property and must be used for public benefit.

In the opinion of this Court, if the Kiosks are tendered, then the market licence fee received would only be used for providing services to the public at large. Admitted position is that there is much more expenditure then revenue earned in running the Court complex.

Consequently, present writ petition and application being devoid of merits, are dismissed. However, keeping in the view the poor background of the petitioners, costs is not imposed.

MANMOHAN, J

MARCH 28, 2016

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