

\$~2

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

+ **W.P.(C) 6185/2016 & CM Nos. 23732/2016 & 26733/2016**

KRANTI DEVI & ORS.

..... Petitioners

Through Mr. Harvinder Chowdhary, Mr.
Nishesh Sharma & Mr. Sangam Singh
Kochar, Advocates

versus

JOINT DIRECTOR (ENFORCEMENT) NDM Respondents

Through

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

%

27.07.2016

In the writ petition, there are fourteen petitioners. They are aggrieved by the order of suspension passed by the respondents on 15.06.2016 when the respondents noting certain deviations / violations qua the inspection carried out by them of the Tehbazari cites allotted to the petitioner at Janpath, had suspended the license of the aforementioned fourteen persons. The suspension orders were passed on 15.06.2016. They are to remain in force for a period of three months i.e. upto 14.09.2016.

Learned counsel for the respondent submits that in case the petitioners abide by the Rules of the respondents and no further deviation/violation are noted qua the petitioners, the petitioners licences will restored after 14.09.2016.

Learned counsel for the petitioners submit that the petitioner No. 1 Kranti Devi had given a representation/reply to the show cause notice to the Department on 04.05.2016. Her contention is that the stall has been measured vertically and not in the correct manner. The contention of the petitioner No.3-Mr. Sanjay Chopra is that on the fateful day, he had gone home as he was not well and on that day, some concerned officers visited his shop. He has made a representation on 06.05.2016. Petitioner No.4 -Sushan Muzumdar had given his reply to the show cause notice on 03.05.2016. His statement is also that the alleged shop was not measured correctly. Petitioner No. 6-Dalip Gupta had given his reply on 05.05.2016. He was missing at the site as he has gone to buy some medicines. Petitioner No. 7-Maya Devi has filed her reply on 06.05.2016. She was not present at the spot because she had gone to buy some medicines; she was suffering from fever and as such, her relative was found at the spot; she has given her reply on 06.05.2016. Petitioner Nos. 8 & 9 namely Sanjay Choudhary & Ram Kishan have also filed their replies with the Department on 05.05.2016 & 06.05.2016 respectively. The contention of the petitioner No. 8 is that he had covered a table with a cloth which was the alleged violation; measurement of the shop done by the Department was incorrect. The contention of the petitioner No. 9 is that there is a wall behind his stall and the measurement has been taken by the officials from a tiled portion. Petitioner No. 14-Adalat Ram has given his reply to the show cause notice to the department on 20.07.2016 as he had gone home and his helper was found in his place at the spot. These representations of the so called petitioners

will be considered by the respondents in accordance with law.

No further orders called forthwith.

The writ petition is disposed of.

INDERMEET KAUR, J

JULY 27, 2016

rs