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

+ W.P.(C) 7205/2016

JAI PAL AND ORS.

..... Petitioners

Through: Mr. Prateek Tanwar, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS. .... Respondents

Through: Mr. Rajan Sabharwal, Standing  
Counsel for R-1.

Mr. Rishikesh Kumar, ASC for R-2 to  
R-5.

SI Vikas Fageria, P.S. Naraina.

**CORAM:**

**HON'BLE MS. JUSTICE INDERMEET KAUR**

**ORDER**

% **16.08.2016**

**C.M. Appl. No.29604/2016**

Exemption allowed subject to all just exceptions.

The application stands disposed of.

**W.P.(C) No.7205/2016**

The petitioners are sixteen in number. They are aggrieved by the acts of the respondents. Their submission is that the vendors are permitted to carry out illegal activities on the public roads which is not only unhygienic but extremely harassing to residents of the locality which includes the present petitioner. Additional submission and prayer in the present petition is that illegal activities are being directed under the flyover and shops are being permitted to remain open 24 hours which is against the bye-laws of

the corporation which enables the 'goonda' elements to drink liquor in their cars and to carry out other illegal activities on the road side which interferes with the safety and security of the residents of the aforementioned Narayana village.

On advance notice learned counsel for respondent No.1 has put in appearance. His submission is that even as per the case of the petitioner this vending is being carried out on the public road which is being looked after by the Public Works Department (PWD); he has no role to play.

The other respondent PWD as also the Commissioner of Police are also present through their counsel. A pass over had been sought at the first call. At the second call counsel for the respondents submits that encroachers are being removed from the site from time to time and the Beat Constable is keeping a constant vigil in the area and he undertakes and assures this Court that illegal encroachment/ activity shall be removed and the shops will be permitted to remain open only as per the law i.e. as per Delhi Shops and Establishments Act and Rules. The illegal activity as alleged in the petition will not be permitted and all efforts to contain the same shall be made by the local police. SI Vikas from P.S. Naraina is present today. The order has been dictated in his presence and he undertakes to ensure that this order shall be implemented in its true letter and spirit. This undertaking on behalf of respondent Nos.2 to 5 through counsel is also noted.

No further order is called for. Petition disposed of.

**INDERMEET KAUR, J**

**AUGUST 16, 2016/hs**