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

+ **W.P.(C) 9203/2016**

**ASHISH GULATI AND ORS**

..... Petitioners

Through : Mr R.K.Kapoor, Ms Kheyali,  
Ms Rekha Giri and Mr Rajat Kapoor,  
Advocates.

versus

**THE COMMISSIONER OF POLICE AND ANR..... Respondents**

Through : Mr. Siddhartha Shankar Ray,  
Advocate.  
SI Sanjiv Kumar, PS.K.M.Pur.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

% **06.10.2016**

**W.P.(C) 9203/2016 & CM No.37201/2016(stay)**

The petitioners seek a direction to the respondent to issue temporary licence for selling fireworks and crackers in temporary sheds near INA market.

Learned counsel for the respondent submits that as the temporary sheds are within 50 metres of "protected works" as defined under Rule 2(43) of the Explosives Rules, 2008, in terms of Rule 84, the permission cannot be granted.

Learned counsel for the petitioners prays for leave to withdraw the petition with liberty to challenge Rule 84 of the said Rules, inasmuch as the said condition is not there in Rule 83, and also to seek the same relief in the said petition.

In view of the above, the writ petition is accordingly dismissed as withdrawn reserving the liberty of the petitioner as prayed for.

*Dasti* under signatures of the Court Master.

**SANJEEV SACHDEVA, J**

**OCTOBER 06, 2016**

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