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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10463/2016**

SHAMIM AHMED & ORS

..... Petitioners

Through Mr.Sanobar Ali Qureshi, Advocate.

versus

**THE COMMISSIONER, EAST DELHI MUNICIPAL
CORPORATION & ORS**

..... Respondents

Through Mr.Sidhartha Joshi and Mr. Sagar
Chauhan, Advocates.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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04.11.2016

C.M. No.41000/2016 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

W.P.(C) 10463/2016 & C.M. Nos.40999/2016

Petitioner is aggrieved by the action of the respondent. His submission is that notices dated 05.9.2016 and 18.10.2016 issued to him are liable to be quashed; submission being that the petitioners are running their trade of selling meat from their shops since last 3-4 years.

The order dated 05.9.2016 is an order passed by the Deputy Director (VS) Shahdara (South) Zone EDMC which states that under the permission of the Deputy Commissioner all cases of appeal for

renewal of the meat shop trade licence on the basis of the Meat Shop Trade Licence Policy of the EDMC dated 01.01.2016 are rejected. Contention of the petitioner is that this is a non-speaking order. No reasons has been given as to why such an order has been passed and specifically in view of the fact that the earlier condition imposed upon the traders they have to be obtain an NOC from the Municipal Councillor has since been struck down by a Bench of this Court on 31.5.2016 in WP(C) No.4881/2016. Notice dated 18.10.2016, informs the petitioners that since the Meat Shop Trade Licences of the petitioners have not been renewed for the year 2016-17 which is a mandate, the sale of meat from their shops would be considered illegal as the licence is a must.

Learned counsel for petitioner on this count submits that in March and April, 2016 four of the five petitioners had deposited their licence fee with the respondent and they have also made an application seeking renewal of their trade licence for the year 2016-17; the last petitioner had deposited the trade licence fee in August, 2016.

Noting these above submissions as also the rejection order dated 05.9.2016 which was largely unreasoned as also the notice dated 18.10.2016 which had cast a mandate upon the petitioners to get their licence renewed for year 2016-17 and the submission of the petitioners on this count that they have already deposited the licence fee for renewal of their trade licence and have made appropriate applications in this regard, this Court deems it fit to dispose of this petition directing the respondent to consider the case of the each of the petitioners in accordance with law in terms of the respective representations.

No coercive steps be taken till the disposal of the representation of the petitioners.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

NOVEMBER 04, 2016

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