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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 143/2017 & C.M.No.6495/2017

CENTRAL MARKET SECTOR-6, DWARKA WELFARE
ASSOCIATION

..... Petitioner

Through Mr.Ayub Khan, Advocate.

versus

PUNEET GOEL SOUTH DELHI MUNICIPAL CORPORATION &
ORS

..... Respondents

Through Mr.Ajjay Aroraa, Advocate for
SDMC.

Mr.Sanjay Singh, Advocate for DDA.

Mr.Gursharan Singh, Advocate for R-
3 with SI Birender, PS Dwarka
(South).

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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12.05.2017

Today, learned counsel for the parties have handed over a copy of judgment and order dated 16th February, 2017 passed by the Division Bench in LPA No.80/2016. The relevant portion of the said judgment and order is reproduced hereinbelow:-

“14. Therefore, the protection contained in Section 3 (3) would not apply to the members of the appellant association. Additionally the orders passed by this Court in WP (C) 3521/2006 cannot be allowed to be flouted.

xxxx xxxxx xxxx xxxx

16. Accordingly, we find no merit in the present LPA, however we make it clear that should the members of the appellant association approached the Town Vending Committee in the

prescribed form, their applications would not be rejected merely because they were not found vending at the site in question provided, of course, they are able to place on record supporting documents in support of their plea that they have been vending since 2001. With these observations, the LPA and all applications are disposed of.

17. We also direct the statutory bodies to ensure that none of the shopkeepers encroach upon verandahs or public land. Counsel for respondent no. 6 also undertakes to the court that none of the members of the respondent no. 6 association will permit any shop keeper or any member of the association to encroach upon public land, extend their shops or encroach upon verandahs or public land. The statutory bodies are directed to take strict action in case of violation of this undertaking.”

Consequently, the present contempt petition is disposed of with a direction to Delhi Police as well as SDMC and DDA to make periodical inspection and ensure that the Division Bench judgment and order dated 16th February, 2017 is complied with in letter and spirit.

MANMOHAN, J

**MAY 12, 2017
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