

21

\$~

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 1374/2017 & CM No.6344/2017

MOHD. YUSUF MALIK

..... Petitioner

Through: Mr.Hameed S Shaikh, Advocate

versus

SOUTH DELHI

MUNICIPAL CORPORATION & ANR

..... Respondents

Through: Mr.Pratap Singh, Advocate for SDMC.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

%

02.05.2017

1. The petitioner is seeking a direction to the respondent to grant the trade licence to the petitioner to run a meat shop in 490, shop no.1, Sunlight Colony II, Hari Nagar, Ashram, New Delhi.
2. Learned counsel for the respondent submits that vide order dated 11th August, 2016, the respondents have rejected the petitioner's application on the ground that the petitioner's shop is within 50 mtrs of a temple. A copy of the order dated 11th August, 2016 has been placed on record alongwith the counter affidavit. Learned counsel for the respondent further submits that there is a Church within 20 mtrs. from the petitioner's shop.
3. Learned counsel for the respondent further submits that the petitioner has a remedy of appeal against the order dated 11th August, 2016 before Zonal Deputy Commissioner.
4. Learned counsel for the petitioner submits that the petitioner was not served with the order dated 11th August, 2016. It is submitted that the

petitioner be permitted to file an appeal against the order dated 11th August, 2016 within a period of 30 days from today.

5. The writ petition and the application are dismissed as withdrawn with liberty to the petitioner to file an appeal against the order dated 11th August, 2016. If the appeal is filed within 30 days, the limitation shall not come in the way of the petitioner and the appellate authority shall consider the petitioner's appeal on merits.

6. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

MAY 02, 2017

`ns'