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

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Judgment delivered on: 10.03.2017

+ W.P.(C) 2249/2017

AJAY BANSAL

..... Petitioner

versus

COMMISSIONER OF POLICE & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Arvind Sah, Adv.

For the Respondent: Mr. Swaty Singh Malik and Mr. Himanshu Latwal, Advs.
with Insp. Sandeep Malik for R-1.
Mr. Vikrant Yadav, Adv. for R-2

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
10.03.2017

SANJEEV SACHDEVA, J. (ORAL)

CM No. 9766/2017 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 2249/2016 & CM No. 9765/2017 (stay)

1. The petitioner has filed the present petition seeking a mandamus thereby directing the Respondent No. 1 to provide access to the Liquor vend situated at Shop No G-1 & G-2. Vardhman Centre

Market, Plot No2, CSC, Sector 3, Dwarka, New Delhi and to provide security to the shop as well as to the employees and to prevent any possible damage to the shop owners and the customers and not to allow any *dharna* outside the petitioner's shop.

2. It is contended that the petitioner has let out the shop to respondent no. 2 – Delhi Tourism & Transportation Development Corporation (DTTDC) which is running a liquor vend from the said shop. Learned counsel for the petitioner submits that some of the local residents have been creating a problem in the running of the vend and are staging *dharna* in front of the shop.

3. It is contended that the vend has been opened after taking requisite licence which was granted after ensuring that the rules for opening of a vend have been complied with.

4. Issue notice. Notice is accepted by learned counsel for respondent no. 1 as also by counsel for respondent no. 2. Learned counsel for respondent no. 2 submits that appropriate permissions have been taken and respondent no. 2 has a licence issued by the Excise Department for sale of the liquor from the said vend.

5. Learned counsel for respondent no. 1 submits that protection shall be provided to enable the petitioner and respondent no. 2 to carry on the liquor vend. Further, the reasons, for the local public holding demonstrations and not permitting the petitioner to sell liquor, would be investigated.

6. The petition is accordingly disposed of directing respondent no. 1 to provide adequate protection to the liquor vend, its employees, stock and customers and to ensure that there is no *dharna* or agitation held within 50 meters of the said vend. The petition is accordingly disposed of.

7. Order *Dasti* under signatures of the Court Master.

March 10, 2017
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SANJEEV SACHDEVA, J

