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

+ W.P.(C) 7796/2017

DES RAO PATIL

..... Petitioner

Through: Mr. M.M. Kashyap, Advocate

versus

NEW DELHI MUNICIPAL COUNCIL

..... Respondent

Through: Mr. Mananjay Mishra, Mr. Chetan
Sharma & Ms. Vidhi Jain, Advocates

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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06.09.2017

CM No.32188/2017

Allowed, subject to all just exceptions.

WP(C) No.7796/2017

This is a petition under Article 226 of the Constitution of India filed by the petitioner, who is a registered *tehbazari* holder and is carrying on his trade of selling *pan*, *bidi* and cigarette outside Volga Restaurant, B Block, Connaught Place, New Delhi.

The complaint of the petitioner is two-fold – firstly it is submitted that since the year 2015, he has been writing letters to respondent No.1 seeking leave to change his trade. The second grievance of the petitioner is that he is suffering from liver problem and he would desire that, till his son attains the age of majority, his brother should be permitted to help him carrying his vending activities on account of his ill-health.

Mr. M.M. Kashyap, learned counsel for the petitioner has drawn the attention of the Court to the representations dated 21.9.2015, 16.10.2015 and 2.12.2015. It is submitted that, although these representations have been acknowledged, but no reply has been received.

Mr. Mananjay Mishra, Advocate enters appearance on behalf of the respondent on an advance copy. Without admitting any of the averments made in the writ petition, he submits that the representations of the petitioner and the prayer made in the writ petition would be considered by the respondent within a period of six weeks from today and a reasoned order would be passed and served upon the petitioner at the address mentioned in the writ petition.

Learned counsel for the petitioner complains that the goods of the petitioner have been seized on 26.8.2017. It would be open for the petitioner to make an application for release of his goods and the application so moved would be considered in accordance with law and the goods seized would be released to him. The petitioner undertakes that till he is allowed the change of trade, he would not violate the terms and conditions of *tehbazari* license.

With the aforesaid directions, the writ petition is disposed of.

Dasti.

G.S.SISTANI, J

CHANDER SHEKHAR, J

SEPTEMBER 06, 2017/tp