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

+ **CONT.CAS(C) 92/2018**

UMESH CHAND GUPTA

..... Petitioner

Through: Mr. Tanmay Mehta, Mr. Neeraj
Kumar and Mr. Harsh Vardhan,
Advs.

versus

BHUPESH CHOUDHARY & ANR

..... Respondents

Through: Mr. Kapil Dutta, Adv. for NDMC.
Mr. Anjum Javed, ASC with Mr.
Devendra Kumar, Adv. with
Mr. Mukesh Kumar, Inspector, PS-
Kotwali for R2.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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20.03.2018

The allegation in the contempt petition is that the respondents have violated the order dated January 7, 2015 whereby this court had directed that petitioner shall not be disturbed till a committee under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 is constituted inasmuch as the respondents are disturbing the vending activities of the petitioner. In that regard Mr. Tanmaya Mehta, learned counsel for the petitioner has drawn my attention to the challans at pages 33 to 40 to contend that the petitioner has paid penalties imposed for the release of the goods impounded by the respondent. The Assistant Law Officer of the respondent / NDMC who is present in the court justifies the penalties by

stating that same have been imposed as the petitioner had encroached the public place/ MCD area / road. On a specific query whether any evidence exist in that regard, he except replying on the affidavit given by the petitioner at the time of release of the goods that he shall not keep the goods and materials in public place / MCD area has not produced any material like photographs etc. The said affidavit does not state that the petitioner has encroached the public area.

Be that as it may, I take on record the statement made by Mr. Mehta, that the petitioner shall only vend in the area of 6x4 allotted to him. I also take on record the submission of Mr. Anjum Javed, learned counsel appearing for respondent no.2 / SHO that as per his instructions, petitioner is squatting on the area allotted to him in terms of the protection granted by this court.

The petition is closed.

V. KAMESWAR RAO, J

MARCH 20, 2018/jg