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

+ **W.P.(C) 4653/2018**

RAJAN SHARMA

..... Petitioner

Through: Mr. Sudhanshu Batra, Sr. Adv. with
Ms. Sahiba Pantel, Mr. Aditya
Mishra, Ms. Renuka Arora, Mr. Sumit
Rana and Ms. Nikita Salwan, Advs.

versus

**NORTH DELHI MUNICIPAL CORPORATION AND
ANR.**

..... Respondents

Through: Ms. Puja Kalra and Mr. Virendra
Singh, Advs. for R1 with Dr. Ashok
Rawat, DHO (KBZ) .

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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02.05.2018

CM. No.17955/2018 (for exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 4653/2018

Present petition has been filed by the petitioner with the following
reliefs:

*“Therefore, it is most respectfully prayed that the Hon’ble
Court may be pleased to:*

*a) Issue a writ in the nature of mandamus or any
other suitable writ or order or directions directing the
Respondent No.2 to pass a well reasoned order in
accordance with the directions issued by the Hon’ble*

Court vide order dated 09.02.2018 in Writ Petition (Civil) No. 1274/2018;

b) Issue a writ in the nature of mandamus or suitable order or direction directing the Respondent No.2 to extend the Health Trade License in favour of the petitioner and issue a writ, or mandamus or any other suitable writ or order or directions directing the Respondents not to take any coercive steps against the petitioner.

Any other order or relief as this Hon'ble Court deems fit and proper may also be passed in the facts and circumstances of the present case."

Mr. Sudhanshu Batra, learned Sr. Counsel appearing for the petitioner has drawn my attention to order dated February 9, 2018 passed in W.P.(C) 1274/2018 which is a petition filed by the petitioner challenging the closure notice issued by the respondents. According to him, the said writ petition was disposed of directing the respondents to consider the said petition as a representation and take an informed decision before the expiry of the provisional Health Trade Licence, which according to Mr. Batra had expired on May 1, 2018. It is his submission that despite the order, informed decision has not been taken and in fact the license having expired, the petitioner cannot carry the trade for which the licence was issued. He states, petitioner is willing to apply for renewal of the trade licence w.e.f May 1, 2018 and the respondents may also consider the same and pass a composite order in terms of the directions of this court dated February 9, 2018 and on the application for renewal.

Learned counsel for the respondents on instructions is agreeable to the submissions made by Mr. Batra.

Accordingly, it is directed that the petitioner shall file an application for renewal in hard copy within a week from today. On such filing, the same shall be considered by the respondents in terms of rules and regulations including by inspecting the property and pass a composite order, complying with the directions issued by this court on February 9, 2018 in W.P.(C) 1274/2018 and also on the application of the petitioner for renewal of the provisional Health Trade License within four weeks thereafter.

As I have been informed that the petitioner on the strength of the order dated February 9, 2018 is carrying with the trade, no coercive action shall be taken till such time the order is passed. It goes without saying that if the petitioner is aggrieved by the order to be passed by the respondents, he shall be at liberty to seek such remedy as available in law.

In view of above, the Petition is disposed of.

CM. No. 17954/2018

In view of the order passed in the writ petition, the application has become infructuous and disposed of as such.

Dasti.

V. KAMESWAR RAO, J

MAY 02, 2018/jg