

\$~34, 35, 36, 41 & 42

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

+ W.P.(C) 8567/2018

ATUL KHANNA

..... Petitioner

versus

NORTH DELHI MUNICIPAL CORPORATION

..... Respondent

+ W.P.(C) 8584/2018

SURINDERPAL SINGH

..... Petitioner

versus

NORTH DELHI MUNICIPAL CORPORATION

..... Respondent

+ W.P.(C) 8591/2018

ASHOK KUMAR

..... Petitioner

versus

NORTH DELHI MUNICIPAL CORPORATION

..... Respondent

+ W.P.(C) 8601/2018

RAMESH KUMAR

..... Petitioner

versus

NORTH DELHI MUNICIPAL CORPORATION

..... Respondent

+ W.P.(C) 8602/2018

RAMAN AGGARWAL

..... Petitioner

versus

NORTH DELHI MUNICIPAL CORPORATION

..... Respondent

Present: Mr.A.K.Singla, Sr.Advocate with Mr.Sheetesh Khanna and Mr.Sushil Jaswal, Advocates for the petitioners in all the matters. Ms.Jyoti Taneja, standing counsel for North DMC in items no.34, 35 & 41. Ms.Namrata Mukim, Adv. for North DMC in items no.36 & 42. Mr.Tushar Sannu and Mr.Ankit Jain, Advocates for North DMC in item no.36. Mr.Aniket Kumar, RC, City SP Zone, North DMC.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

17.08.2018

Signature Not Verified
Digitally Signed
By:AMULYA

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C.M.32909/2018 in W.P.(C) 8567/2018
C.M.32936/2018 in W.P.(C) 8584/2018
C.M.32965/2018 in W.P.(C) 8591/2018
C.M.33041/2018 in W.P.(C) 8601/2018
C.M.33043/2018 in W.P.(C) 8602/2018
(exemption)

Exemptions allowed, subject to all just exceptions.

Applications stand disposed of.

W.P.(C) 8567/2018 & C.M.32908/2018
W.P.(C) 8584/2018 & C.M.32935/2018
W.P.(C) 8591/2018 & C.M.32964/2018
W.P.(C) 8601/2018 & C.M.33040/2018
W.P.(C) 8602/2018 & C.M.33042/2018

These writ petitions have been filed by the petitioners under Article 226 of the Constitution of India. The present petitioners are *Tehbazari* holders. The details of the *Tehbazari* sites allotted to the petitioners are as under:

Sl. No.	W.P.(C) No.	Name of the petitioners	Site No.	Shop No.	Address
1.	8567/2018	Atul Khanna	15941	5A	Bhagirath Palace, Chandni Chowk, Delhi - 6
2.	8584/2018	Surinder Pal Singh	15948	6A	
3.	8591/2018	Ashok Kumar	15933	2	
4.	8601/2018	Ramesh Kumar	15939	4	
5.	8602/2018	Raman Aggarwal	15945	6	

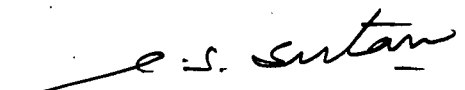
All the petitioners were issued show cause notices dated 12.06.2018 pointing out various violations of the terms and conditions of the *Tehbazari*. Replies to the show cause notices were filed. Thereafter, an order dated 01.08.2018 has been passed by the respondent informing the petitioners the violations of the terms and conditions, which still continue despite the show cause notices issued to them. The petitioners were granted 5 days' time to

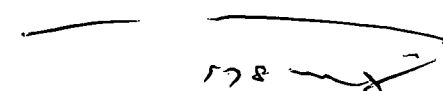
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remove the violations and submit an undertaking that in future the terms and conditions of the *Tehbazari* would not be violated. Photographs of both before and after removal of the violation were also to be provided, failing which, the *Tehbazari* sites would be sealed or cancelled without giving any further opportunity. The counsel for the petitioners, on instructions, submits that the petitioners would comply with the terms contained in the show cause notice dated 12.06.2018 and the order dated 01.08.2018. However, the petitioners pray that 15 days' time may be granted to them to comply with the order dated 01.08.2018. Counsels for the respondents, who enter appearance on an advance copy, submit that they have no objection, if 15 days' time is granted, provided the order dated 01.08.2018 is complied with.

We have heard learned counsel for the parties. Taking into consideration the submissions made and the stand taken before us, 15 days' time, as prayed, is granted to the petitioners to comply with the order dated 01.08.2018. The petitioners shall be bound by the undertaking given by their counsel in Court today. Needless to say, if the order is not complied with within 15 days' from today, the respondents would be entitled to take action as per the order dated 01.08.2018.

All the writ petitions stand disposed of.


G.S.SISTANI, J


ANU MALHOTRA, J

AUGUST 17, 2018

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