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

Date of Decision: 30th October, 2019

+ W.P.(C) 11457/2019

CORRUPTION AGAINST SOCIETY (REGD) Petitioner

Through: Mr. Arun Kaushal, Adv.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. Hetu Arora Sethi, ASC (GNCTD)

with Mr. Rahul Jain, Adv. for R-1 to R-4

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

D.N. PATEL, Chief Justice (Oral)

CM APPL. 47065/2019 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 11457/2019

1. This Public Interest Litigation has been preferred with the following prayers:

“(a) Issue a writ in the nature of mandamus directing thereby the respondent no. 1 to 5 to comply with the order dated 14.09.2011 as passed by this Hon'ble court in a Writ Petition (Civil) no.6692/2011 titled as Loose Flower and Cut Flower (Commission Agent) Grower and Traders Welfare Association Vs. Govt. of NCT of Delhi and Ors. and to ensure that no licensee and un-licensee holders be allowed to sell any kinds of flowers contrary to said orders and policy of government within the boundaries of Delhi except the place as allotted by the

respondent government to the flower market association at Gazipur, New Delhi; and

(b) issue a writ in the nature of mandamus directing thereby the respondent no. 2, 3 and 4 to issue official orders and directions to their all subordinate officers i.e. Station House Officers that orders of this Hon'ble court as passed in Writ Petition (Civil) no.6692/2011 titled as Loose Flower and Cut Flower (Commission Agent) Grower and Traders Welfare Association Vs. Govt. of NCT of Delhi and Ors. on 14.09.2011 be complied with strict actions and no one be allowed to float the same.

(e) pass any other or further Writ / Order(s) or relief which this Hon'ble Court may deem fit and proper in the facts and circumstances as mentioned herein above in favour of the Petitioner and against the Respondents."

2. Counsel appearing for the petitioner submitted that earlier an order was passed by this Court in W.P.(C) 6692/2011 and certain directions were given *vide* order dated 14 September, 2011 which have not been complied with by the respondents. Hence, the present writ petition has been preferred.

3. Clearly, for execution/violation of the order passed in earlier disposed of writ petition, preferred by the same petitioner, the present writ petition is not tenable in law. Petitioner at the most can file a contempt petition and not a fresh writ petition. Thus, liberty is reserved with this petitioner to file a contempt petition in accordance with law with appropriate forum.

4. With aforesaid liberty this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

OCTOBER 30, 2019/ns