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

+ W.P.(C) 4362/2020, CM APPL. 15710/2020 (interim relief), CM APPL. 15711/2020 (exemption), CM APPL. 15712/2020 exemption from attested affidavit) & CM APPL. 15713/2020 (exemption from Court Fee)

M/S BABUJI PAINTS

..... Petitioner

Through: Mr. Amit Singh Rathore, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION THROUGH THE COMMISSIONER NORTH

..... Respondent

Through: Mr. Kapil Dutta, Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **21.07.2020**

The hearing was conducted through video conferencing.

1. This application seeks the following reliefs:

“a. Pass an order issuing a writ of mandamus or any other appropriate writ to the Respondent to issue trade and storage/Commercial licence to the petitioner to carry on its business of automotive paints from the shop no. 1&2(ground floor), B-3/8, Model Town, Phase-1, Delhi-110009; and

b. Pass an interim order directing the Respondent to exempt the Petitioner from storing the abovementioned ready mix automotive paints and thinner etc. and allowing the Petitioner to on its business from shop no. 1&2(ground floor), B-3/8, Model Town, Phase-1, Delhi-110009, till the pendency of the present writ petition; and

c. Any other relief, which this Hon'ble court deems fit

and proper in the facts and circumstances of the case, be also passed in favour of the petitioner and against the respondents.”

2. The petitioner made his representation-cum-application to the North DMC which was received by the latter on 11.11.2019. According to the Corporation, the said application cannot be considered, since the earlier permission was in the petitioner's father's name. However, if the applicant were to apply afresh in terms of the extant rules, his application could be considered.
3. In view of the above, let this writ petition be treated as petitioner's representation and the petitioner shall also apply online afresh, which shall be considered by the Corporation within 4 weeks after according due hearing to the petitioner. Appropriate orders shall be communicated to the petitioner promptly also by email, through counsel as well.
4. Should the petitioner be required to file additional documents he may do so within 2 weeks from today. Requisite fees, conversion charges, etc., as may be payable shall be paid by him within two weeks of receipt of any such intimation from the Corporation.
5. The writ petition, alongwith pending applications, is disposed-off in terms of the above.
6. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

JULY 21, 2020/AB