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

% Judgment delivered on: 23rd February, 2022

+ W.P.(C) 13663/2021

NASIMUDDIN

..... Petitioner

versus

**SOUTH DELHI MUNICIPAL CORPORATION
& ORS**

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. M. Sufian Siddiqui with Mr. Rakesh Bhugra & Ms. Alya Veronica Advocates

For the Respondents: Mr. Ajay Aroraa along with Mr. Kapil Dutta, Standing Counsels for South DMC

Mr. Naushad Ahmed Khan, ASC, Civil GNCTD with Ms. Manisha Chauhan Advocate for Respondent No. 2 and 3

SI Manish Tyagi PS- Jamia Nagar

Mr. A.K. Dey, Advocate for R-4

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J

1. The hearing was conducted through video conferencing.

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2. Petitioner seeks a direction to the respondent to take action against the illegal unlicensed meat shop.

3. It is the contention of the petitioner that respondent no. 4 is illegally carrying out the sale of meat from the said shop and is encroaching upon public area and has kept articles, chicken cages and dustbin etc. on public land and further has parked his private vehicle on the public street which is used for loading and unloading of meat and causes obstructions to the passage. He further submits that the shop was being run in a very unhygienic condition.

4. Status report has been filed by the Corporation which states that a veterinary trade licence for running a meat shop for sale of buffalo meat has been issued to Respondent No. 4. The status report further states that the property was inspected from time to time, however, no violation of the guidelines/term of licence or unhygienic conditions were found at the time of inspection.

5. This is disputed by learned counsel for the petitioner. Said contention of the counsel for the petitioner is also borne out from the photographs annexed with the petition. However, it may be possible that at the time of inspection, respondent no. 4 may have taken necessary precautions and no infraction was found.

6. Status report filed by respondent no. 2 has been shared over e-



mail of the Court Master. The same is taken on record.

7. Respondent no. 4 has also filed his affidavit confirming that he has a licence for sale of buffalo meat only. The affidavit further states that he is not selling chicken meat in his shop.

8. It is disputed by learned counsel for the petitioner that respondent no. 4 is selling only buffalo meat and is not selling chicken from the said shop. Photographs annexed with the petition show that there are chicken cages kept outside the premises. However, they seem empty in the photographs.

9. Be that as it may, since respondent no. 4 in his affidavit has admitted that he only has a licence for selling buffalo meat and does not sell chicken. The said respondent is bound down to his statement.

10. This petition is disposed of with a direction to the Corporation to carry out the surprise inspections of the premises of Respondent No. 4 from time to time to ensure compliance of the conditions of the licence as also to ensure maintenance of hygiene by respondent no. 4 while running the said shop.

11. Further, respondent no. 4 is restrained from committing a breach of the conditions of the licence and accordingly it is directed that he shall abide by the terms of conditions of his licence and shall



sell buffalo meat only. He is also directed to maintain strict hygiene in accordance with the conditions of the licence. He shall not encroach upon the public street. He is granted two days time to remove any article *inter alia* chicken cages kept on the public street.

12. Learned counsel appearing for respondent-Corporation and Delhi Police submit that if any breach is noticed, appropriate action in accordance with law shall be taken. They, further, assure that in case petitioner faces any further difficulty he can contact the said respondents and action in accordance with law shall be taken. The statement is accepted.

13. The petition is disposed of in the above terms.

14. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

FEBRUARY 23, 2022
'rs' **SANJEEV SACHDEVA, J**