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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2315/2024 & CM APPL. 9596/2024**

ABDUL GAFFAR

..... Petitioner

Through: Mr. Abhishek Saxena, Mr. Singh
Nishant Sanjay Kumar, Mr. Vaibhav
Patel, Mr. Saurav Dewal, Mr.
Munish, Ms. Mumtaz Shaikh and Ms.
Kamini, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND OTHERS

..... Respondents

Through: Ms. Shilpa Ohri, Additional Standing
Counsel for R-1.
Ms. Vaishali Gupta, Panel Counsel
(Civil) GNCTD with Mr. Shubham
Gupta, Adv. for R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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16.02.2024

CM Appl.9597/2024

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

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3. The present petition has been filed by the petitioner praying as under:

“A. Pass an Order directing the respondents to ensure that that the petitioner is allowed to peacefully vend in terms of his vending site i.e. Shahdara south zone 15-E, New Delhi, without any Let or hindrance being cause by any public official.”

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4. The petitioner has been issued a Certificate of Vending which indicates his vending areas as Shahdara south zone, ward 15-E, New Delhi. Admittedly, the petitioner does not have a Tehbazari license for vending from a fixed site. Thus, in accordance with the terms and conditions of the Certificate of Vending, the petitioner is proscribed from vending at a particular place for more than 30 minutes or such time, as may be determined by the Town Vending Committee.

5. In view of the above, we consider it apposite to dispose of the present petition by directing the respondents not to interdict or interfere with the petitioner's trade subject to the petitioner complying with the terms and conditions of the Certificate of Vending.

6. The petition is disposed of in the aforesaid terms. Pending application also stands disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

FEBRUARY 16, 2024/r

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Click here to check corrigendum, if any
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