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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3067/2024**
NAGENDRA YADAV

..... Petitioner

Through: Mr.Sanjay Kumar, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI & ANR.

..... Respondents

Through: Ms.Shilpa Ohri, ASC for MCD.

Mr.Divyam Nandrajog, PC and
Mr.Mayank Kamra, Advocate for
GNCTD/R2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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29.02.2024

CM APPL. 12601/2024

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 3067/2024

3. The petitioner has filed the present petition, *inter alia*, praying as under:-

“A. Writ of Mandamus or any other appropriate writ may kindly be issued in favour of the petitioner and against the respondents thereby directing the respondents not to harass or disturb the petitioner or in any manner interfere in their vending activities in the vending site as allotted to him.

B. The Cost of the proceedings be awarded in favour of the petitioner and against the respondents.

C. Any other relief, which this Hon'ble Court may deem fit and proper under Facts and Circumstances of the case, may also be awarded in favour of the petitioner and against the respondents.”



4. The learned counsel appearing for respondent no.1 – Municipal Corporation of Delhi (MCD) states that no vending site has been allotted to the petitioner and therefore, reference to the allotted site in the prayer of the petition is not tenable.

5. The learned counsel for the petitioner relies upon the judgment dated 14.02.2023 of this Court in W.P.(C) 1876/2023 captioned *Rashid Khan v. Municipal Corporation of Delhi & Ors.* and submits that an order in similar terms may be passed in the present petition also.

6. It is noted in said decision that the Court had given express directions to the MCD to permit the petitioner to continue to carry on the vending activities in the given zone strictly in compliance of the Certificate of Vending (COV).

7. The learned counsels for the respondents have no objection, in case the same order is passed.

8. Accordingly, we dispose of the present petition with the direction that the petitioner shall not be disturbed in carrying on his vending activities, subject to his compliance with the terms of the COV.

9. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

FEBRUARY 29, 2024

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Click here to check corrigendum, if any