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

+ **W.P.(C) 7915/2024**

GOVIND PRASAD GUPTAPetitioner

Through: Mr. Satish Kumar Tripathi, Advocate
with petitioner in person

versus

GOVT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Sriharsha Peechara, Standing
Counsel with Mr. Akshat Kulshrestha
and Mr. D.S. Bhanu, Advocates
Mr. Vineet Dhanda, CGSC with Ms.
Shweta Shandilya, Advocates for
review applicants

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **10.03.2025**

CM APPL.59278/2024

1. The instant application under Section 151 of the Code of Civil Procedure, 1908 has been filed by the petitioner/applicant seeking following reliefs:

“a. allow the present application of the applicant/petitioner whereby necessary direction/s may be issued to the Respondent No 2 & Respondent No 3 (the NDMC) and the Respondent No 4 (The SHO) to the effect that they will place the petitioner at his vending site as per order dated 28.5.2024 and will ensure his safety and security while doing his vending activities from his vending site : opposite Shop No 165, Sarojini Nagar Market, New Delhi.

And/or

b. pass any other order as this Hon'ble Court deem fit and proper in the facts and circumstances of the present case.”



2. Learned counsel for the applicant, on instructions, submitted that the instant application has become infructuous and the same may be disposed.

3. Accordingly, the instant application is dismissed being infructuous.

CM APPL.59473/2024

1. The instant application under Section 151 of the Code of Civil Procedure, 1908 has been filed by the petitioner/applicant seeking following reliefs:

“a. allow the present application of the applicant/petitioner whereby appropriate order be passed to the effect that the document at page No 28 (part of Annexure P-3-colly) may not be treated as part and parcel of above said writ petition.

And/or

b. pass any other order as this Hon'ble Court deem fit and proper in the facts and circumstances of the present case.”

2. Learned counsel appearing on behalf of the applicant submitted that the captioned petition was filed praying that the petitioner may not be disturbed from carrying on his vending activities, and the same was disposed of vide order dated 28th May, 2024, passed by the Co-ordinate Bench of this Court.

3. It is submitted that in the captioned petition, the petitioner had filed certain challans to assert his claim, however, inadvertently, the counsel for the petitioner filed a challan (appended at page 28 of the paperbook) as part of Annexure P-3 to the captioned petition.

4. It is submitted that the aforesaid challan, which is on record of the captioned petition, does not belong to the petitioner and in view of the same, it is prayed that the same may not be treated as a document/challan *qua* the applicant.



5. Heard.

6. Issue notice. Mr. Sriharsha Peechara, learned Standing Counsel for the NDMC accepted notice and opposed the instant application while submitting to the effect that the captioned writ petition has already been disposed of and the said challan was part of the said petition. Further, the Co-ordinate Bench of this Court, while disposing of the captioned writ petition vide order dated 28th May, 2024, has duly adjudicated the said documents. In view of the same, the prayer made by the applicant is misconceived and it is prayed that the instant application may be dismissed.

6. Heard learned counsel for the parties and perused the material on record.

7. Upon perusal of the contents of the instant application and the order dated 28th May, 2024, this Court is of the view that the aforesaid challan (which has been filed as part of Annexure P-3) is on record and it seems that the Co-ordinate Bench of this Court, while disposing of the captioned petition, has adjudicated the same. Therefore, we are not inclined to allow the instant application, thereby, modifying or clarifying the contents of the order dated 28th May, 2024. Accordingly, the instant application is dismissed.

CHANDRA DHARI SINGH, J

ANUP JAIRAM BHAMBHANI, J

MARCH 10, 2025

Rt/ryp

Click here to check corrigendum, if any