



\$~38 & 39

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

+ LPA 878/2024 & CAV 432/2024, CM APPL. 50840-43/2024

M/S R K FOOD PRODUCTS

.....Appellant

Through: Mr. Jitender Mehta, Mr. Shivam
Pahal, Mr. Lalit Kumar and Mr.
Pankaj Mishra, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Anju Gupta and Mr. Bhuvan
Goel, Advocates for UOI.

(39)

+ LPA 880/2024 & CAV 433/2024, CM APPL. 50908-11/2024

VED PRAKASH MISHRA

.....Appellant

Through: Mr. Jitender Mehta, Mr. Shivam
Pahal, Mr. Lalit Kumar and Mr.
Pankaj Mishra, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ankit Raj, Senior Panel Counsel
with Mr. Vedansh Anand, G.P. and
Mr. Akash Chandrayan, Mr.
Soumyadip Chakraborty and Mr. Ali
Mohammed Khan, Advocates for
UOI.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

03.09.2024

%

1. Present appeals have been preferred under Clause X of the Letters Patent Act, 1866 assailing the judgement dated 30th May, 2024 passed by the learned Single Judge whereby the writ petitions filed by the appellants



herein were dismissed and the appellants were directed to vacate the stalls within a period of three (3) months.

2. With the consent of the parties, the matters are taken up for disposal.

3. The present appeals are similar to the appeal decided by this Court on 9th August, 2024 being LPA No. 770/2024 “*M/s Veer & Company Graduate Partnership Concern & Anr. vs. Union of India & Ors*” whereby the said appeal was dismissed. It has been brought to this Court’s notice that the said order dated 9th August, 2024 was challenged by way of a Special Leave Petition (for short ‘SLP’) being SLP(C) No. 19229/2024 captioned “*M/s S Veer & Company Graduate Partnership Concern & Anr. vs. Union of India & Ors.*”. It is stated that the said SLP was disposed of allowing extension of four (4) months on account of *dies non* period subject to filing of an undertaking within a period of four (4) weeks.

4. The order dated 27th August, 2024 passed in SLP(C) No. 19229/2024 “*M/s S Veer & Company Graduate Partnership Concern & Anr. vs. Union of India & Ors.*” is reproduced hereunder:-

“1. Heard the learned counsel appearing for the respective parties.

2. We are not inclined to interfere with the impugned judgment and order passed by the High Court. We however extend the time granted by the learned Single Judge of the High Court in its order dated 29.05.2024 by four months from today. All the allottees shall vacate and handover the vacant possession of the stalls in question before the expiry of four months subject to filing of the usual undertaking before the Registry of this Court within four weeks from today.

3. Accordingly, the Special Leave Petition is disposed of.

4. Pending application(s), if any, shall stand disposed of.”

5. Learned counsel appearing for the appellants state that similar directions as above be passed in the present appeals too, since they raise the same issue.



6. After having heard the learned counsel and in deference to the order of the Supreme Court dated 27th August, 2024, in SLP(C) No. 19229/2024 “*M/s S Veer & Company Graduate Partnership Concern & Anr. vs. Union of India & Ors.*”, this Court finds no ground to interfere with the impugned orders, but grants four (4) months extension from today to the appellants to vacate their respective stalls in question subject to filing of an affidavit of undertaking by the appellants to the effect that they will vacate their respective stalls within the aforesaid extension/time so granted with the Registrar General of this Court within four (4) weeks from today.

7. In view of the aforesaid, the present appeals along with pending applications are disposed of with no order as to costs.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

SEPTEMBER 03, 2024

rl