



2024:DHC:9183



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 25th November, 2024***+ **CONT.CAS(C) 1634/2024****SHRI GANESH PUJARI**

.....Petitioner

Through: **Mr. Jitender Mehta with Mr. Lalit Kumar, Advocates.**

versus

MR. ARUN KUMAR & ANR.

.....Respondents

Through: **Mr. Vineet Dhanda, CGSC for UOI with Ms. Aaknsha Choudhary and Mr. Saksham Sethi, Advocates****CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. The grievance of the petitioner is that he is not being allowed to run his stall/shop of Multi-Purpose Store (MPS) from the site in question situated at *Lokmanya Tilak Terminus, Mumbai*.
2. During course of the arguments, Sh. Jitender Mehta, learned counsel for the petitioner informed that, lastly, the petitioner had been running a 'MPS' and in view of the specific directions given by the learned Division Bench of this Court, the petitioner has been permitted four months extension from the date of the order i.e. 27.08.2024 to vacate such stall, subject to his filing an affidavit of undertaking to the effect that he would vacate the same.
3. The undertaking was required to be submitted with the learned



Registrar General of this Court. It is informed that such undertaking has already been furnished.

4. It seems that there was some confusion as to what kind of business was permitted to be run from the aforesaid stall.

5. Earlier, the stall had been given for running a chemist outlet. However, later on, it seems that the petitioner was permitted to run a Multi-Purpose Store (MPS).

6. During course of the arguments, learned counsel for the respondent, very fairly, admitted that as per the instructions, which she had received, the petitioner in question was not permitted to operate the stall in question *albeit* on account of said confusion and, therefore, in all fairness, she states that the period of four months shall start to run from today onwards with effect from such permission. She also submits, on instructions, that there shall not be hindrance now onwards for a period of four months.

7. After hearing arguments for some time, learned counsel for the respondent states that it will be ensured that there is no interference with respect to the running of the stall in question and it is undertaken that the requisite instructions in this regard are duly conveyed to the concerned officials as well.

8. In view of the above, learned counsel for the petitioner submits that he does not press the present petition anymore.

9. The petition is, accordingly, disposed of as not pressed.



2024:DHC:9183



10. However, the statement given by the learned counsel for the petitioner is taken on record. The petitioner shall vacate the stall in question on expiry of a period of four months to be reckoned from today.

11. The petition stands disposed of accordingly.

(MANOJ JAIN)
JUDGE

NOVEMBER 25, 2024/st