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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 14682/2024 & CM APPL. 61673/2024 (Stay)
RAJENDER KUMAR AND ORS.Petitioners

Through: Mr. Ajay Kumar, Adv.

versus

MUNICIPAL CORPORATION OF DELHIRespondent
Through: Mr. Umang Tyagi, ASC along
with Ms. Anchal Kushwaha and
Ms. Nikita Anand, Advs.

CORAM:
HON'BLE MR. JUSTICE YASHWANT VARMA
HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER
29.10.2024

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1. The writ petitioner seeks to impugn a Show Cause Notice [‘SCN’] dated 14 October 2024. In terms of that notice, the respondents have alleged a purported violation of condition 11 of the Certificate of Vending. That condition reads as follows:-

“11. The mobile vendor shall not stay at any place in any hawking vending zone or do any selling work for more than 30 minutes or the time prescribed by the TVC. The vendor shall not stay in any non-vending zone or do any selling work.”

2. It is the case of the writ petitioner that the same would apply only to a mobile vendor and thus cannot regulate the activities being undertaken by the writ petitioner.

3. We, however, find ourselves unable to sustain that argument, bearing in mind the contents of the communication dated 04 October 2019 and to which the conditions pertaining to the Certificate of Vending stand duly appended.



4. As noted above, S. No. 11 clearly requires the petitioner to move from the site every 30 minutes. We find that the aforesaid stipulation as contained in the Certificate of Vending has not been assailed or questioned.
5. We consequently leave it open to the writ petitioner to respond to the SCN. All rights and contentions of respective parties on merits are kept open.
6. The writ petition shall stand disposed of on the above terms.

YASHWANT VARMA, J.

RAVINDER DUDEJA, J.

OCTOBER 29, 2024/RW