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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 1176/2024 and CM APPL. 70212/2024 (Stay) & CM
APPL. 70215/2024 (8 Days Delay)

MANJU DEVI

.....Appellant

Through: Mr. Jitender Mehta, Mr. Lalit
Kumar and Mr. Shivam Pahal,
Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Shagun S. Chugh, SPC
with Ms. Meera Chugh and Ms.
Vidhi Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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02.12.2024

CM APPL. 70213/2024 (Ex.) and CM APPL. 70214/2024 (Ex.)

Allowed, subject to all just exceptions.

The applications are disposed of.

**LPA 1176/2024 and CM APPL. 70212/2024 (Stay) & CM APPL.
70215/2024 (8 Days Delay)**

1. This appeal is directed against the order rendered by the learned Single Judge on 23 October 2024. While disposing of the writ petition, the learned Single Judge had framed the following operative directions:

“9. The aforesaid order dated 18.10.2024 does not direct that all license holders are to be granted time until 15.02.2025, regardless of whether they had approached the Court in time. I have not been shown any judgment of the Division Bench or the Supreme Court which grants an extension of more than three months to any license



holder, who had not approached the Court prior to the judgment dated 30.05.2024. In the case of license holders who had approached the Court prior to the judgment dated 30.05.2024, the order of the Supreme Court dated 27.08.2024 has been applied to their benefit, but the case of the present petitioner does not fall in the same category. The order of the Division Bench dated 05.08.2024 applies in the case of persons who have approached the Court after the judgment dated 30.05.2024, by which the extension is limited to the period of three months after expiry of the *dies non* period.

10. I, therefore, do not find any grounds in the present case to extend the licence of the present petitioner until 15.02.2025. The petitioner's license, even after the *dies non* extension, expired on 10.07.2024, and she has already enjoyed a further period of three months.

11. In the present case, the petitioner was protected by an order of *status quo* dated 09.07.2024. She, therefore, remains in possession of the stall. In order to obviate any avoidable inconvenience in view of this fact, the petition is disposed of with the direction that the petitioner will vacate the stall in question by 30.11.2024, subject to filing of an undertaking before this Court.”

2. The prayer now made before us is that in light of orders passed by the Supreme Court in **M/s Veer and Company Graduate Partnership Concern & Anr. vs. Union of India & Ors.**¹ and **Saroj vs. Union of India & Ors.**² and wherein the period to vacate had been further extended by four months, the same additional extension should, on the ground of parity, be accorded to the appellant.

3. We find ourselves unable to accede to that request bearing in mind our decision in **M/s Shashikala Gupta vs. Union of India & Ors.**³ and wherein we had observed as follows:

“2. The prayer now made is that in light of a subsequent order passed by the Supreme Court in **M/s Veer and Company Graduate Partnership Concern & Anr. vs Union of India & Ors.** and wherein the period to vacate has been further extended by four (04) months, the same additional extension should, on grounds of parity,

¹ SLP No. 19229/2024 dated 27 August 2024

² SLP No. 23319/2024 dated 18 October 2024

³ LPA 1144/2024 dated 25 November 2024



be accorded to the appellant.

3. We find ourselves unable to accede to that request bearing in mind the undisputed position that emerges from the record, namely, of the licence period having been extended for a period of three months in the impugned order, with the learned Single Judge relying on the order passed by the Division Bench of the Court in **M/s Kaushalya Meena vs. Union of India and Ors.** which has come to be uniformly followed.

4. In view of the aforesaid and bearing in mind the order passed in *M/s Kaushalya Meena*, we find ourselves unable to accede to the prayer as made.

5. The appeals fail and shall stand dismissed.”

4. Following the order passed thereon, we find no justification to grant a further extension as prayed for.

5. The appeal consequently fails and shall stand dismissed.

YASHWANT VARMA, J.

DHARMESH SHARMA, J.

DECEMBER 2, 2024

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