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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 2035/2024**
RAMGOPAL CHAUDHARYPetitioner

Through: Mr. Aditya, Ms. Pralika Chakraborty,
Mr. Anjani Kr. Mishra and Mr.
Kailash Kr. Jha, Advocates
versus

SH. ASHWANI KUMAR AND ORSRespondent
Through: Ms. Shilpa Ohri, Addl. Standing
Counsel for MCD/R-1
Ms. Sarika Singh, SPC with Mr. Rahul
Singh, Advocate for R-3

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
24.12.2024

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1. Learned counsel for petitioner submits that petitioner is suffering from disability. He also submits that petitioner is not being permitted to vend despite there being specific direction contained in order dated 09.02.2024 passed by learned Division Bench of this Court in W.P. (C) No. 1880/2024.
2. Undoubtedly, the petitioner herein is a *mobile vendor* and is expected to move his handcart after every 30 minutes.
3. The aforesaid grievance was even taken note of by the learned Division Bench and it was also observed in the order that MCD/DVC should consider the aforesaid aspect in the first instance.
4. Simultaneously, when the petition was disposed of, learned Division Bench also directed that the petitioner shall not be interdicted from carrying out its vending activities *provided the same is done in compliance of the terms*

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& conditions of the COV (Certificate of Vending).

5. In view of aforesaid, even if the petitioner is directed to move after 30 minutes, it cannot be said to be a matter inviting contempt from any angle whatsoever.

6. The aforesaid condition is, admittedly, part of COV, which the petitioner is bound to comply.

7. Learned counsel for petitioner submits that the fact that petitioner is suffering from acute disability was not highlighted in the previous petition and petitioner reserves his right to file a substantive petition seeking further relief in the matter. He submits that in view of the above, petitioner is, at the moment, not desirous of continuing with his present contempt petition.

8. Present contempt petition is accordingly disposed of as not pressed. Liberty, as prayed, is granted.

9. All the rights and contentions of the parties are reserved.

MANOJ JAIN, J

DECEMBER 24, 2024/dr