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

+ **W.P.(C) 1745/2025**

M/S RAYEEN ASSOCIATES

.....Petitioner

Through: **Mr. Tamim Qadri, Advocate.**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr. Sahaj Garg, Senior Panel Counsel
with Mr. Rishav Dubey, Government Pleader, for
Respondents/UOI.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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12.02.2025

CM APPL. 8392/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 1745/2025 and CM APPL. 8391/2025

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India laying a challenge to Clause No. 11 of Commercial Circular No. 20/2017 pertaining to 'Catering Policy, 2017' dated 27.02.2017 issued by Respondent No. 1. Writ of mandamus is also sought for a direction to the Respondents to renew the license of the Petitioner in respect of its Catering Stall/Milk Stall Unit No. MP-12 near pole No.3035 at PF-1 at Bina Railway Station.
4. Petitioner was allotted Catering Stall/Milk Stall Unit No. MP-12 near Pole No.3035 at PF-1 at Bina Railway Station for a period of five years at



the stipulated license fee, vide Letter of Award dated 30.10.2019. Petitioner was issued a letter on 08.02.2024, whereby it was asked to deposit the license fees for a period from 19.02.2024 to 27.02.2025 including the *dies non* period for which benefit of extension was given on account of Pandemic COVID-19 by the Respondents, as a matter of policy decision.

5. Learned counsel for Petitioner prays that Petitioner be given extension of 7 months as given to similarly placed Petitioners in ***Manohar Bachani v. Union of India & Ors, W.P.(C) No. 12398/2024***, decided on 11.09.2024; ***Sree Venkateswara Enterprises v. Union of India & Ors., W.P. (C) No. 225/2025***, decided on 10.01.2025 and in ***Arvind Kumar v. Union of India & Ors., W.P. (C) No. 720/2025***, decided on 20.01.2025.

6. Issue notice.

7. Mr. Sahaj Garg, learned Senior Panel Counsel accepts notice on behalf of the Respondents and does not dispute that Petitioner is similarly placed as the writ Petitioners in ***Manohar Bachani (supra)***, ***Sree Venkateswara Enterprises (supra)*** and ***Arvind Kumar (supra)***.

8. Indisputably, Petitioner was awarded contract of operating catering stall for a period of 05 years vide Letter of Award dated 30.10.2019. Petitioner seeks extension of 7 months as was granted by this Court in ***Manohar Bachani (supra)***, ***Sree Venkateswara Enterprises (supra)*** and ***Arvind Kumar (supra)***. There is no dispute between the parties that Petitioner is similarly placed as the Petitioners in ***Manohar Bachani (supra)***, ***Sree Venkateswara Enterprises (supra)*** and ***Arvind Kumar (supra)***, wherein the Courts in similar circumstances allowed the Petitioners to operate the Catering Stalls for a further period of 7 months from the date of expiry of the extended license period. The Madhya Pradesh High Court in



M/s Mahakal Caters Vijay Jain v. Union of India and Others, W.P. No.29831/2024, decided on 01.10.2024, has granted similar extension of 7 months to the Petitioner therein. I am of the view that Petitioner cannot be discriminated and is entitled to the same relief.

9. Accordingly, this writ petition is disposed of with a direction that subject to payment of license fee, Petitioner shall be allowed to operate his stall as detailed above, for a further period of 7 months from the dates of expiry of the original/extended license periods at the stipulated license fee. This would be further subject to an undertaking by the Petitioner on an affidavit before this Court that Petitioner will vacate the stall in question on expiry of the extended period of 07 months, failing which Respondents will be at liberty to remove its goods from the stall. The affidavit shall be filed within three weeks from today.

10. Pending application also stands disposed of.

JYOTI SINGH, J

FEBRUARY 12, 2025

B.S. Rohella/shivam