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

+ W.P.(C) 2243/2025
DEEPAK NARAIN

.....Petitioner

Through: Mr. Jitender Mehtha, Mr. Lalit Vats,
Mr. Abhinav Kumar and Mr. Shivam Pahal,
Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Sandeep Tyagi, Senior Panel
Counsel for UOI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **24.02.2025**

CM APPLs. 10466-467/2025

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

W.P.(C) 2243/2025 & CM APPL. 10465/2025

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India laying a challenge to Clauses 5 and 11 of the Commercial Circular No. 61/2017, 'MPS Policy, 2017' dated 05.09.2017 issued by Respondent No. 3. Direction is sought to the Respondents to extend the license period by a further period of 7 months at par with Petitioners in other writ petitions allowed by this Court.
4. Case of the Petitioner is that he was awarded license for running two Multi-Purpose Trolleys at platform No. 10 of Delhi Junction Railway Station vide Master License Agreement dated 15.07.2022 for a period of



five years at the stipulated license fee, commencing from 27.01.2020 to 03.04.2025. Petitioner avers that Respondents gave extension of *dies non* period for nearly 400 days on account of Pandemic COVID-19 as a policy decision to several similarly placed operators but benefit of only 68 days was extended to the Petitioner. This Court has in several writ petitions granted extension of license period by 7 months and Petitioner is deserving of the same indulgence. It is fairly submitted that Petitioner does not press his challenge to the Master License Agreement or the Commercial Circular No. 61/2017. Reliance is placed on the orders of this Court 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 ***Arvind Kumar v. Union of India & Ors.***, W.P. (C) No 720/2025, decided on 20.01.2025, wherein extension of license period has been granted.

5. Issue notice.

6. Mr. Sandeep Tyagi, 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 ***Arvind Kumar (supra)***, ***Sree Venkateswara Enterprises (supra)*** and ***Manohar Bachani (supra)***.

7. Indisputably, Petitioner was awarded license to operate two Multi-Purpose Trolleys at Platform No. 10 at Delhi Junction Railway Station for a period of five years, which expires on 03.04.2025. Benefit of the *dies non* period on account of COVID-19 statedly given to several vendors has been given to the Petitioner only for a period of 68 days. Petitioner now seeks extension of 07 months as was granted by this Court in ***Arvind Kumar (supra)***; ***Sree Venkateswara Enterprises (supra)***; and ***Manohar Bachani***



(supra). There is no dispute between the parties that Petitioner is similarly placed as the Petitioners in the aforesaid writ petitions wherein Courts in similar circumstances allowed the Petitioners to operate their Catering Stalls for a further period of 07 months from the date of expiry of the extended license periods. 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 07 months to the Petitioner therein. I am of the view that Petitioner cannot be discriminated and is entitled to the same relief.

8. Accordingly, this writ petition is disposed of with a direction that subject to payment of license fee, Petitioner will be allowed to operate the two Multi-Purpose Trolleys at platform No. 10 of Delhi Junction Railway Station for a period of 07 months from 04.04.2025 at the stipulated license fee. This would be further subject to an undertaking by the Petitioner on an affidavit before this Court that he will vacate the stall in question on expiry of the extended period of 07 months, failing which Respondents will be at liberty to remove his goods from the stall. The affidavit shall be filed within three weeks from today.

9. Pending application stands disposed of.

JYOTI SINGH, J

FEBRUARY 24, 2025/shivam