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

+ CONT.CAS(C) 932/2023

KAMAL PRASAD MAHTO

.....Petitioner

versus

MR. SURYA PRAKASH AND ORS

.....Respondents

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+ CONT.CAS(C) 933/2023CM APPL. 35325/2023

RAM BAI AHIRWAR

.....Petitioner

versus

SH. SURYA PRAKASH AND ORS

.....Respondents

Presence Ms Pragya Jaishwal Ms Shivani Verma Ms Renu Ms
Arpita Singh Ms Kavita Mr Ahsan Sanjar Mr Himanshu
Deegwal for Mr Adv Kamlesh Kumar Mishra, Advocates
for petitioners

Mr. G.S. Oberoi, SC for MCD with Mr. Ankur Sharma,
Ms. Shifali Jain and Mr. J.S. Oberoi, Advocates for
respondent- MCD.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
06.05.2025

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1. Notice was issued in these petitions seeking compliance of judgment dated 28th April 2023 passed in **W.P. (C) 5474/2023** and **W.P. (C) 5489/2023**.
2. The said judgment noted that the petitioner had been issued Certificate of Vending ('COV') dated 6th November 2021.



3. The petitioner was given permission to continue vending within *Najafgarh Zone, Ward- S-50*, in compliance with terms and conditions of COV. Directions had been issued to the MCD to allow the petitioner to vend, subject to complying with the terms and conditions.
4. An affidavit was filed by the respondent-MCD on 6th March 2024 stating that while the MCD recognizes the COV, the terms and conditions were not being followed.
5. Accordingly, the petitioners' goods were seized and their stalls were removed, being part of temporary encroachments.
6. Petitioners are always at liberty to retrieve / recover their seized goods.
7. Counsel for the MCD states that they undertake not to disturb the petitioners if terms and conditions of the COV are complied with.
8. Accordingly, both these petitions stand disposed of, in view of undertaking by the counsel for MCD.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 6, 2025/sm/na