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

+ **CONT.CAS(C) 751/2025**

BABU RAM

.....Petitioner

Through: Mr. Aditya, Mr. Vipin Kumar, Ms.
Pralika Chakraborty, Mr. Kailash Kr.
Jha, Mr. Anjani Kr. Mishra, Advs.

versus

SH. ASHWANI KUMAR AND ORS

.....Respondents

Through: Ms. Puja S. Kalra, Standing Counsel,
Mr. Virendra Singh, Adv. for MCD.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **13.05.2025**

CM APPL. 28848/2025 (for release of goods of petitioner)

1. This application has been filed seeking release of goods of petitioner, which were seized on 3rd May 2025.
2. Application has been filed in the background of order dated 9th February 2024 passed by the Division Bench of this Court in W.P.(C) 1870/2024, where the petitioners were permitted to make a representation with the Chairman of Town Vending Committee ('TVC'), who was to take an informed decision in context of what had been noted in the order, particularly with the condition in the Certificate of Vending ('COV') relating to the restriction on being stationed.
3. Ms. Puja S. Kalra, Standing Counsel for MCD, states on instructions that the TVC's process had been halted for some time last year, considering that the agencies which were recruited for the purposes of the survey had to



be changed and, therefore, tenders were refloated.

4. Delhi Government issued Notification on 10th March 2025 and the TVC is back into action and the survey has been re-started, which is expected to be completed in six months.

5. In any event, *Ms. Puja S. Kalra*, Standing Counsel for MCD, states that as far as the representation of petitioner is concerned, MCD will pass an order stating their informed decision in compliance with orders dated 9th February 2024. The same will be done within the next four weeks.

6. A copy of the representation will be re-submitted to *Ms. Puja S. Kalra*, Standing Counsel for MCD by counsel for petitioner during the course of the day.

7. As regards the direction to release the goods which were seized, counsel for petitioner states that they are running a mobile cart and the question of being stationary does not arise and they are complying with the terms & conditions of the CoV.

8. In any event, without going into the factual issues of the matter, it is directed that the goods be released to petitioner, subject to them paying the statutory cost for release. This is without prejudice to the petitioner's submission that the goods were seized not per procedure and, therefore, the same will have to be released without payment of any money.

9. Petition is, therefore, disposed of.

10. Liberty is given to petitioner to agitate the same in appropriate proceedings.

11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 13, 2025/ak/bp