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

+ **W.P.(C) 17671/2024 and CM APPL. 75220/2024 & 75221/2024**

SMT LONGI DEVI & ANR.Petitioners

Through: **Mr. Jai Sahai Endlaw and Mr. Ashish Kumar, Advs**

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents

Through: **Mr. Sriharsha Peechara, SC with Mr. Akshat Kulshreshtha and Mr. D. S. Bhanu, Advs. for NDMC.**

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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17.01.2025

1. The instant petition under Article 226 of the Constitution of India has been filed on behalf of the petitioner seeking the following reliefs:

“A. Issue a Writ of Mandamus or any other appropriate Writ directing the Respondent No.1 to permit Petitioner no. 2, to occupy and operate from the Tehbazari Space bearing No. 166-M-09, opposite shop No.169, Sarojini Nagar Market, New Delhi allotted in favor of the Petitioner no. 1 by the Respondent No. 1;

b). Pass any other order(s) as this Hon'ble Court may deem fit in the facts and circumstances of the present case.”

2. After some length of arguments on merits, learned counsel for the petitioners seek an innocuous prayer to file a detailed representation/application along with a copy of the instant petition before the competent authority, i.e., Enforcement Department, New Delhi Municipal Council, within one week.



3. Learned standing counsel appearing on behalf of the respondents has no objection to the innocuous prayer made by the learned counsel for the petitioner.
4. Heard learned counsel for the parties and perused the record.
5. After perusal of the record, contentions made in the petition as well as the innocuous prayer made on behalf of the petitioners along with no-objection given on behalf of the respondents, this Court is inclined to allow the innocuous prayer made on behalf of the petitioner.
6. Accordingly, the petitioners are directed to file a detailed representation/application along with the copy of the instant petition as well as the certified copy of this order before the competent authority, i.e., Enforcement Department, New Delhi Municipal Council, within one week. After receiving the detailed representation/application, the competent authority is directed to dispose of the detailed representation/ application after hearing the petitioner and pass a detailed and reasoned order in accordance with law expeditiously, preferably within four weeks.
7. With the aforesaid directions, the instant petition is disposed of along with pending applications, if any.

CHANDRA DHARI SINGH, J

ANOOP KUMAR MENDIRATTA, J

JANUARY 17, 2025

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Click here to check corrigendum, if any