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

+ W.P.(C) 19621/2025, CM APPL.81985/2025, CMAPPL.81986/2025
SATENDER JHAPetitioner

Through: Mr. Sachin Kumar, Mr. Shivam
Awasthi and Mr. Chittaranjan Kumar,
Advocates.

versus

THE STATE (GOVT. OF NCT OF DELHI) THROUGH MEDICAL
SUPERINTENDENT AND ANR.Respondents

Through: Mr. Sameer Vashisht, SC for GNCTD
along with Ms. Harshita Nathrani and
Ms. Khusboo Mittal, Advocates for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **23.12.2025**

1. The present petition has been filed by the petitioner seeking the following reliefs:

*“a) Issue a writ of mandamus or any other appropriate writ, order, direction directing the Respondents No. 1 and 2 to permit the petitioner to reopen and ran his CVM (kiosk) situated at Deen Dayal Upadhyay Hospital, Hari Nagar, New Delhi-110064 and / or
b) Issue a writ of mandamus or any other appropriate writ, order, direction directing the Respondents No. 1 and 2 to restrain them from interfering in the running of CVM (kiosk) situated at Deen Dayal Upadhyay Hospital, Hari Nagar, New Delhi-110064 and / or
c) Pass any other or further order (s) as this Hon'ble Court may deems fit, just and proper in the given facts and circumstances of the present case, in the interest of justice.”*

2. It is submitted that in November, 2010 the petitioner was allotted one CVM (Kiosk) at Deen Dayal Upadhyay Hospital (Government of NCT of Delhi) Hari Nagar, New Delhi.

3. The license granted by the concerned Hospital to the petitioner expired



by efflux of time. It is the case of the petitioner that even upon expiry of the said license, the petitioner was allowed to operate the said CVM (Kiosk) for some time.

4. Admittedly however, after July, 2023, the petitioner was not permitted to operate the said CVM (Kiosk).

5. Accordingly, the present petition has been filed seeking that the respondent nos.1 and 2 be directed to permit the petitioner to re-open the said CVM (Kiosk) situated at Deen Dayal Upadhyay Hospital, Hari Nagar, New Delhi.

6. Learned Standing Counsel for the respondents, who appears on advance notice, emphasizes that the petitioner has no legal right to operate the CVM (Kiosk) in question.

7. It is further pointed out that the present petition suffers from laches inasmuch as admittedly, the petitioner has not been permitted to operate the Kiosk since 2023.

8. *Prima facie*, there is merit in the aforesaid contention of the respondents.

9. Be that as it may, after some hearing, at the request of the petitioner, the respondents are directed to consider the present petition itself as the petitioner's representation and take an appropriate decision on the petitioner's request seeking permission to re-open the Kiosk in question.

10. Let an opportunity of hearing be afforded by the concerned officials of the respondents to the petitioner and a reasoned order be passed thereafter.

11. It is made clear that the aforesaid exercise shall not be construed as creating any legal right in favour of the petitioner nor will it be construed as an expression of opinion of this Court on the merits of the contentions of the



petitioner.

12. The petition is disposed of in the above terms. Pending applications also stand disposed of.

SACHIN DATTA, J

DECEMBER 23, 2025/r