

(2025) 02 DEL CK 1150

In the Delhi High Court

Case No : Contempt Case (C) No. 1899 Of 2024 & Civil Miscellaneous Petition
No. 70000 Of 2024

Lakhan Singh

APPELLANT

Vs

Sh. Ashwani Kumar And Ors

RESPONDENT

Date of Decision : 17-02-2025

Acts Referred:

Citation : (2025) 02 DEL CK 1150

Hon'ble Judges : Manoj Jain, J

Bench : Single Bench

Advocate : Virendra Singh, Puja S. Kalra

Final Decision : Disposed Of

Judgement

Manoj Jain, J

1. Nobody appears on behalf of the petitioner. It is noticed that on the last date also i.e., on 09.12.2024, there was no appearance from the side of the petitioner.

2. The petitioner is a mobile vendor and as per the Certificate of Vending ('CoV') granted to him, he is permitted to vend "Food/ Snack with gas cylinder/ fire" in South Zone, Ward-S-87.

3. While disposing of the above said writ petition, learned Division Bench had directed respondents not to obstruct or disturb the petitioner from carrying on his vending activities provided those were strictly in accordance with the terms and conditions of CoV.

4. Learned counsel for MCD submits that the CoV was for "mobile purpose only" and, therefore, vendor is not permitted to vend at a particular spot for more than 30 minutes. It is informed that the petitioner was rather vending in front of premises of M/s Global Opportunities Investment Pvt. Ltd. situated at E-542-44 Greater Kailash Part-II, New Delhi. It is claimed that even otherwise, the petitioner cannot vend or squat in an area which is designated as no-hawking

zone.

5. Learned counsel for MCD also brings it to the notice of the Court that the owner of the above said premises i.e., M/s Global Opportunities Investment Pvt. Ltd. already filed a writ petition, which was registered as W.P.(C) 1578/2024 and in such writ petition, respondent No.3 (petitioner herein), had appeared and undertaken to strictly comply with the terms of CoV. It is informed that in view of his such statement, the above said writ petition was disposed of by the learned Division Bench on 28.01.2025 while also directing MCD to ensure that respondent No.3 (petitioner herein) does not carry on any vending activity, which results in nuisance or inconvenience to the residents and that such vending activities are done in accordance with CoV.

6. A copy of such order has been shown during the course of the proceedings. The same is retained on record.

7. It seems that for the above said reason only, the petitioner is no longer interested in pursuing with the present contempt petition.

8. In view of the above, this Court does not find any purpose in continuing with the present contempt petition. Moreover, there is no appearance from the side of the petitioner for two consecutive dates.

9. The contempt petition, along with pending applications, stand disposed of accordingly.