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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 15900/2022, CM APPL. 49485/2022(interim relief) &
CM APPL. 49486/2022 (exemption)**

NEM SINGH Petitioner
Through: Mr. Yashaswi S.K. Chocksey,
Advocate (*through video-*
conferencing).

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.
..... Respondents
Through: Mr. G.S. Oberoi, Standing
Counsel (MCD) with Mr. Ankur
Sharma, Advocate for R-1.

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL
HON'BLE MR. JUSTICE TALWANT SINGH

% **ORDER**
09.01.2023

The present writ petition under Article 226/227 of the Constitution of India, has been instituted on behalf of Mr. Nem Singh, the petitioner *herein*, praying as follows:

“That in view of the facts and circumstances narrated herein above, this Hon'ble court may be pleased to:

- a.) issue a writ in the nature of mandamus directing Respondent No. 3 to release the petitioner's vending trolley & all its belongings;*
- b.) issue a writ in the nature of mandamus directing Respondent No. 1 to take penal action against Respondent No. 2;*

- c.) *issue the writ in nature of mandamus, directing the respondents to restore the petitioner to its original vending space with dignity;*
- d.) *issue the writ in nature of mandamus, directing the respondents to pay the compensation to the petitioner for illegally confiscation act done by the respondent;*
- e.) *Allow the present writ petition with exemplary cost.*
- e.) *pass such other and further orders as this Hon'ble court may consider fit and proper necessary in the interest of justice. ”*

Learned counsel appearing on behalf of the petitioner, however, limits the relief in the present petition, to a direction to the Municipal Corporation of Delhi, to permit to vend, in terms of the Certificate Of Vending, issued by the Municipal Corporation of Delhi, respondent No. 1 *herein*.

Issue notice.

Learned counsel appearing on behalf of the respondent accepts notice; and fairly does not oppose the relief prayed for, as afore-stated.

In view of the foregoing, the writ petition is partly allowed. The Municipal Corporation of Delhi shall permit Mr. Nem Singh, the petitioner *herein*, to vend from the West Zone, Ward S-16, subject to his complying strictly and scrupulously with the directions and conditions contained in the above-said Certificate Of Vending, issued by the Municipal Corporation of Delhi, respondent No. 1 *herein*.

No further relief is prayed for.

The Delhi Police, respondent No.3 *herein*, is directed to release the petitioner's vending trolley & all his belongings, within 02 days from

today.

The writ petition is partly allowed, and disposed of accordingly.

Pending applications also stand disposed of accordingly.

Copy of the order be given *dasti* to learned counsel appearing on behalf of the parties.

SIDDHARTH MRIDUL, J.

TALWANT SINGH, J.

JANUARY 09, 2023/at

[Click here to check corrigendum, if any](#)