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

+ **CONT.CAS(C) 1404/2022, CM APPL. 55580-81/2022**

MAHAVIR JAIN Petitioner

Through: Mr. N.K. Sahoo, Advocate.

versus

AMIT YADAV AND ORS Respondent

Through: Mr. Ankur Chibber and Ms. Ankita Sarangi, ASCs for NDMC.

126

+ **CONT.CAS(C) 1410/2022, CM APPL. 55710-11/2022**

RAVINDER KUMAR JAIN Petitioner

Through: Mr. N.K. Sahoo, Advocate.

versus

AMIT YADAV AND ORS Respondent

Through: Mr. Ankur Chibber and Ms. Ankita Sarangi, ASCs for NDMC.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **19.01.2023**

CM APPL. 55580/2022 in CONT.CAS(C) 1404/2022

CM APPL. 55710/2022 in CONT.CAS(C) 1410/2022

Allowed, subject to all just exceptions.

Accordingly, these applications are disposed of.

CONT.CAS(C) 1404/2022, CM APPL. 55581/2022

CONT.CAS(C) 1410/2022, CM APPL. 55711/2022

1. The present contempt petition has been filed stating that there has



been a violation of the order dated 30.05.2016 and 01.08.2016 passed by this Court in CONT.CAS(C) No. 462/2016.

2. Learned counsel for the Petitioner(s) states that the Petitioner(s) are not permitted to vend by the Respondents in violation of the said orders. He further relies upon the orders dated 18.05.2016 and 27.09.2016 passed by a Division Bench of this Court in LPA 136/2016 and connected matters. He states that in view of the orders of the Division Bench the rights of the present Petitioner(s) are protected since they form a part of a notified list of vendors i.e., the pre-existing right holders.

3. Learned counsel for the Respondent who appears on advance notice states that the Petitioner(s) have been stopped by the Respondents from vending in compliance of the order dated 11.10.2021 passed by a Division Bench of this Court in W.P.(C) 11669/2021. He states that in the said order, the Division Bench has directed the Respondent to exercise zero tolerance against the categories of all vendors except the 80 odd vendors. He states that neither of the Petitioner(s)' names find mention in the said list of 80 odd vendors available with the Respondents.

4. This Court has heard the parties and put a query to the Respondent with respect to the effect of orders dated 18.05.2016 and 27.09.2016 passed by the Division Bench in LPA 136/2016 and connected matters.

5. In reply, learned counsel for the Respondent states that the said orders especially para 9 (1) of the order dated 27.09.2016 is also confined to the list of 80 odd vendors, which finds mention in the order dated 11.10.2021. He further states that the Petitioner(s)' rights are not saved by orders dated 18.05.2016 and 27.09.2016.

6. He seeks and is granted two weeks' time to place on record his



written submissions not exceeding three pages along with the orders sought to be relied upon.

7. At the request of the Respondent, adjourned to 13.02.2023.

MANMEET PRITAM SINGH ARORA, J
JANUARY 19, 2023/msh/aa