

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

**Date of decision: 30<sup>th</sup> September, 2010.**

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**W.P.(C) No.13958/2009**

**CHANDER SEKHAR SETHI**

**..... PETITIONER**

Through: Mr. Prag Chawla & Mr. Manoj  
Kapoor, Advocates

Versus

**GOVT. OF NCT OF DELHI & ORS.**

**..... RESPONDENTS**

Through: Mr. Arun K. Sharma, Advocate for R-1  
Mr. Ajay Arora with Mr. Kapil Dutta,  
Mr. Sarfraz Ahmed & Ms. Mini  
Pushkarna, Advocates for R-2.  
Mr. P.C. Sen & Ms. Swati Verma,  
Advocates for R-3.

***CORAM :-***

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

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| 1. | Whether reporters of Local papers may<br>be allowed to see the judgment? | No |
| 2. | To be referred to the reporter or not?                                   | No |
| 3. | Whether the judgment should be reported<br>in the Digest?                | No |

**RAJIV SAHAI ENDLAW, J.**

1. The petitioner, carrying on business of water cooling plant and plying water trollies on streets and at other public places, has filed this petition to restrain the respondents Govt. of NCT Delhi, MCD & NDMC from interfering with the business of the petitioner of plying water trollies at the designated places with respect whereto license has been issued to the

petitioner. The present petition was filed apprehending disturbance owing to the orders in WP(C) No.2199/2007.

2. Notice of the petition was issued and vide interim order dated 18<sup>th</sup> December, 2009, it was directed that the petitioner shall be permitted to continue to park his water trollies at the sites designated by the respondents in the license issued to the petitioner. The said order has continued till now.

3. The respondent no.3 NDMC has filed a counter affidavit listing out the places / locations with respect whereto the license has been granted and further stating that there is no proposal to disturb the petitioner. It is further clarified that the license granted to the petitioner is not with respect to any of the sites subject matter of WP(C) No.2199/2007.

4. The respondent no.2 MCD has also filed a counter affidavit confirming that the license had been granted for parking the trollies and serving water at the designated places and confirming that there was no occasion to disturb the petitioner if acts in terms of the license.

5. The counsel for the respondent no.2 MCD has today in Court reiterated the said position.

6. In view of the aforesaid stand of respondents MCD & NDMC, the writ petition is disposed of with the directions that if the petitioner in terms

of the license granted to him continues to park the trollies and serve / sell water from the designated / licensed sites, the said business of the petitioner shall not be disturbed. However, the petitioner shall be liable for action if in breach of the terms of the license.

No order as to costs.

**RAJIV SAHAI ENDLAW  
(JUDGE)**

**30<sup>th</sup> September, 2010**  
'gsr'..