



2025:DHC:8077



\$~62 to 65

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

% **Date of Decision: 10th September, 2025**

+ W.P.(C) 3596/2025 & CM APPL. 57051/2025

RAM DARAS

.....Petitioner

Through: Mr. K.K.L. Gautam, Ms. Vaishali
Nariyala and Mr. Sumit, Advs.
M: 9671356191
Email: nariyala1289@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Ms. Latika Malhotra, Adv. for DDA
M: 9811895162
Email: latika.malhotra@gmail.com

63

+ W.P.(C) 3662/2025 & CM APPL. 57049/2025

PRIYANKA

.....Petitioner

Through: Mr. K.K.L. Gautam, Ms. Vaishali
Nariyala and Mr. Sumit, Advs.
M: 9671356191
Email: nariyala1289@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Mr. Sanjay Vashishtha, Mr.
Siddhartha Goswami, Ms. Geetanjali
Reddy and Mr. Aditya Sachdeva,
Advs. for DDA



2025:DHC:8077



64

+ W.P.(C) 3894/2025 & CM APPL. 57050/2025

SANJAY BHARTI

.....Petitioner

Through: Mr. K.K.L. Gautam, Ms. Vaishali
Nariyala and Mr. Sumit, Advs.
M: 9671356191
Email: nariyala1289@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Ms. Latika Malhotra, Adv. for DDA
M: 9811895162
Email: latika.malhotra@gmail.com

65

+ W.P.(C) 12159/2025 & CM APPL. 57048/2025

AMIT CHAUDHARY

.....Petitioner

Through: Mr. K.K.L. Gautam, Ms. Vaishali
Nariyala and Mr. Sumit, Advs.
M: 9671356191
Email: nariyala1289@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Mr. Siddhant Nath, SC with Mr.
Bhavishya and Mr. A. Khan, Advs.
for MCD



CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

CM APPL. 57051/2025, CM APPL. 57049/2025, CM APPL. 57050/2025
& CM APPL. 57048/2025

1. The present applications have been filed on behalf of the petitioners seeking permission to run and sell fish, chicken and mutton in the stalls in question, at the *Dabri Mor Fruit and Vegetable Market*.
2. Learned Counsel appearing for the petitioners submits that the petitioners have been engaged in the business of selling fish, chicken and mutton in different stalls at the *Dabri Mor Pocket 20C, Palam Road, New Delhi*. It is submitted that the petitioners are the legal owners of the thadas/units/stalls, which have been duly allotted by the respondent no. 2-Delhi Development Authority (“DDA”) to the petitioners.
3. It is submitted that the Municipal Corporation of Delhi (“MCD”) has notified a new Policy dated 20th December, 2023, under the Master Plan of Delhi 2021, in terms of which License is granted to sell meat in meat shops running on the ground floor of residential areas, up to a maximum of 20 sq. meters, subject to completion of all the terms and conditions as per the said Policy.
4. Learned Counsel appearing for the petitioners relies upon the Policy of the MCD, which has been issued *vide* Office Order dated 20th December, 2023, by the Department of Veterinary Services, and relies upon Clause C of the said Policy. By relying upon the aforesaid Policy, learned counsel appearing for the petitioners submits that the petitioners are covered under the said Policy, and therefore, must be allowed to run their respective



business from their allotted units.

5. Learned Counsel appearing for the petitioners submits that the petitioners are ready to approach the MCD, and shall comply with all the directions as given by the MCD, in accordance with law.

6. Learned Counsel appearing for the petitioners submits that the petitioners initially had Licenses from the DDA and the MCD, for running their businesses from their respective units. However, the same were subsequently withdrawn, as per the Policy prevailing at that point of time.

7. Learned Counsel appearing for the petitioners submits that the petitioners have deposited fees of Rs. 7500/-, towards grant of License on various occasions, however, the applications of the petitioners have been rejected. He submits that the petitioners are poor people, thus, in case, the petitioners are to approach the respondents, they may be exempted from filing the fees.

8. Learned Counsel for the petitioners relies upon the judgment dated 12th August, 2025, passed by this Court, in *W.P.(C) 12160/2025*, titled as “*Umar Sarif Versus Government of NCT of Delhi and Ors.*”, to submit that the cases of the petitioners herein are also covered by the said judgment.

9. Issue notice. Notice is accepted by learned counsels appearing for the respondents, i.e., the MCD and the DDA.

10. Learned counsels appearing for the respondents submit that action was taken for cancelling the Licenses of the petitioners, in terms of the directions of the Court.

11. Learned counsels appearing for the respondents also point out that the letter for clarification was written to the Director General of Civil Aviations, seeking clarifications.



12. At this stage, learned Counsel appearing for the petitioners submits that the petitioners are ready to comply with all the requisite directions issued by the MCD in this regard, for the purposes of de-sealing. He further submits that the petitioners are willing to subject themselves to the terms, as may be put by the MCD, in this regard.

13. Learned Counsel appearing for the petitioners further submits that the petitioners are not slaughtering any mutton or big animals, which are prohibited under Rule 91 of the Aircraft Rules, 1937. He submits that the petitioners shall comply with all the compliances in terms of Rule 91 of the Aircraft Rule, 1937.

14. Having heard learned counsels appearing for the parties, this Court notes that Rule 91 of the Aircraft Rules, 1937 reads as under:

“xxx xxx xxx

“91. Prohibition of slaughtering and flaying of animals, depositing of rubbish and other polluted or obnoxious matter in the vicinity of aerodrome. – No person shall slaughter or flay any animal or deposit or drop any rubbish, filth, garbage or any other polluted or obnoxious matter including such material from hotels, meat shops, fish shops and bone-processing mills which attracts or is likely to attract vultures or other birds and animals within a radius of ten kilometers from the aerodrome reference point :

Provided that the Director-General, a Joint Director General of Civil Aviation or a Deputy Director General of Civil Aviation may, if he is satisfied that proper and adequate arrangements have been made by the owners of hotels, meat shops, fish shops and bone processing mills so as to prevent attraction of vultures or other birds and animals, having regard to the vicinity of place of slaughter from the aerodrome, arrangements for disposal or deposit of carcass, rubbish and other polluted and obnoxious matter, grant permission in writing for the purpose.

xxx xxx xxx”

15. Perusal of the aforesaid Rule categorically shows that no person shall slaughter or flay any animal or deposit or drop any rubbish, filth, garbage or



any other polluted or obnoxious matter, including, such material which attracts or is likely to attract vultures or other birds and animals within a radius of ten kilometers from the aerodrome reference point. The said Rule further provides that if the Director General or the Joint Director General of Civil Aviation or Deputy Director General of Civil Aviation, as the case may be, is satisfied that proper and adequate arrangements have been made by the owners of the meat shops/fish shops etc., so as to prevent attraction of vultures or other birds and animals having regard to the vicinity of place in question from the aerodrome, then permission in writing for that purpose can be granted.

16. This Court notes the letter dated 20th September, 2018, issued by the DDA, Commercial Estate Branch, wherein, with regard to compliances in accordance with Rule 91 of Aircraft Rules, 1937, it is stated as follows:

“Please refer to your letter dated 30.08.2018 on the subject noted above. In this connection, I am to inform you that the matter for running/selling of Fish/Chicken/Mutton in Dabri Mori Fruit & Vegetable Market has been considered by the Competent Authority and has granted permission for selling of Fish/Chicken/Mutton on the ground that the allottee were doing the same business prior to allotment in this site after re-sitement and further subject to fulfilling of Rule 91 of the Aircraft Rule 1937.

2. In addition to above, the said permission for selling of Chicken/Mutton/Fish is subject to furnishing of an Indemnity Bond for compliance on the following in accordance with the Rule 91 of Aircraft Rule 1937:-

- i). The drainage system should be properly managed.**
- ii). The disposal bins/drums are completely covered individually apart from the whole area being covered with proper covering material.**
- iii). No slaughter of chicken/fish is to be done in open area.**
- iv). The Disposal of carcass, other waste, material is to be stored properly in drums during the day time and only in the night i.e. after**



9.00 p.m. they are to be disposed by the covered vehicle.

v). There should be no scope of any vultures or any other birds being attracted by any sort of waste material from the business carried out by the allottee/occupant.

It is also informed you that a periodical survey would be conducted by the team consisting of Officers of DDA, ATC, SDMC & Association by the Fruit & Vegetable Market, Dabri More to Check for compliance of Rule 91 by all concerned and in case of violation, the allotment would be liable to be cancelled.

4. The Association namely M/s Shiv Market Phal-Subzi Mandi, Main Dabri Mor, New Delhi would ensure that proper arrangement if further needed for disposal or deposit of carcass/any other polluted and obnoxious mater to ensure that no vultures/birds are attracted towards this market.”

(Emphasis Supplied)

17. Perusal of the aforesaid letter issued by the DDA shows that there is a clear requirement that no slaughter of chicken/fish is to be done in open area. Further, the disposal of the carcass and other waste material is to be stored properly in drums during the day and only in the night, after 9 p.m., the said waste material is to be disposed of, by a covered vehicle. Thus, the petitioners would be required to comply with all these directions, and ensure that the disposal of carcass and other waste material is stored properly, and no slaughter of chicken/fish is done in an open area. Further, the petitioners would also have to ensure that there is no scope of any vultures or other birds being attracted by any sort of waste material from the business being carried out by the allottee/occupants.

18. Therefore, the petitioners are enjoined upon to comply with all these directions with respect to compliances in terms of Rule 91 of Aircraft Rules, 1937.

19. This Court also notes the letter dated 29th May, 2018, issued by the Office of the Director General of Civil Aviation, which reads as under:



2025:DHC:8077



ANNEXURE-P/13

91

**GOVERNMENT OF INDIA
CIVIL AVIATION DEPARTMENT**

OFFICE OF THE
DIRECTOR GENERAL OF CIVIL AVIATION
OPP. SAFDARJUNG AIRPORT, NEW DELHI-110005.
TELEFAX: +91-11-24655383
EPBX: 24622495/ Ext.410
e-mail: dsharma.dgca@nic.in

Reference No.
Dated:

AV.20025/01/06-AL
29.05.2018

भारत सरकार
वायु विमानन विभाग
महानिदेशक वायु विमानन का कार्यालय
सफदरजुंग एअरपोर्ट के सामने
नई दिल्ली - ११०००५

To
Shri R.S. Meena, Dy. Director (CE)
DDA Commercial Estate Branch
A-Block, 2nd Floor, Vikash Sadan, INA,
New Delhi-110023

**Subject: Permission for running/selling of Fish/Chicken/Mutton in Dabri Mor
Fruit & Vegetable Market allotted by DDA-regarding.**

Please refer to your letter no. F1(329)2002/CE/3791 dated 21.05.2018 regarding the subject matter.

The request has been reviewed and DDA is advised to refer, Rule 91 of the Aircraft Rule 1937 which prohibits slaughtering and flaying of animal depositing of rubbish and other polluted and obnoxious matter which attracts vulture or other birds and animal within a radius of ten Kilometers from aerodrome reference point. DDA has to take all possible steps for ensuring that there is no collection of rubbish, filth, garbage and other obnoxious material which is prohibited by Rule 91.

The individual shop owners who do the business in small scale may not dispose the waste from the shop in a manner required by the Rule. Therefore if permission is required to be given by DDA, who authorize these shops has to ensure that the activities conducted by these individual shop owners are not violating the provision of Rule 91.

Yours faithfully,

D.C. Sharma

(D. C. Sharma)
Director of Operations (Aero. Stds.)
for Director General of Civil Aviation

Copy to: - O/o DDG(NR), IGI Airport, New Delhi.

CEO, DIAL, New Udaan Bhavan, Opposite Terminal 3, IGI Airport ND-3

// True copy //

20. Perusal of the aforesaid letter shows that the Civil Aviation Department, Government of India has already clarified that the slaughtering of animals is prohibited under Rule 91 of the Aircraft Rule, 1937, within a

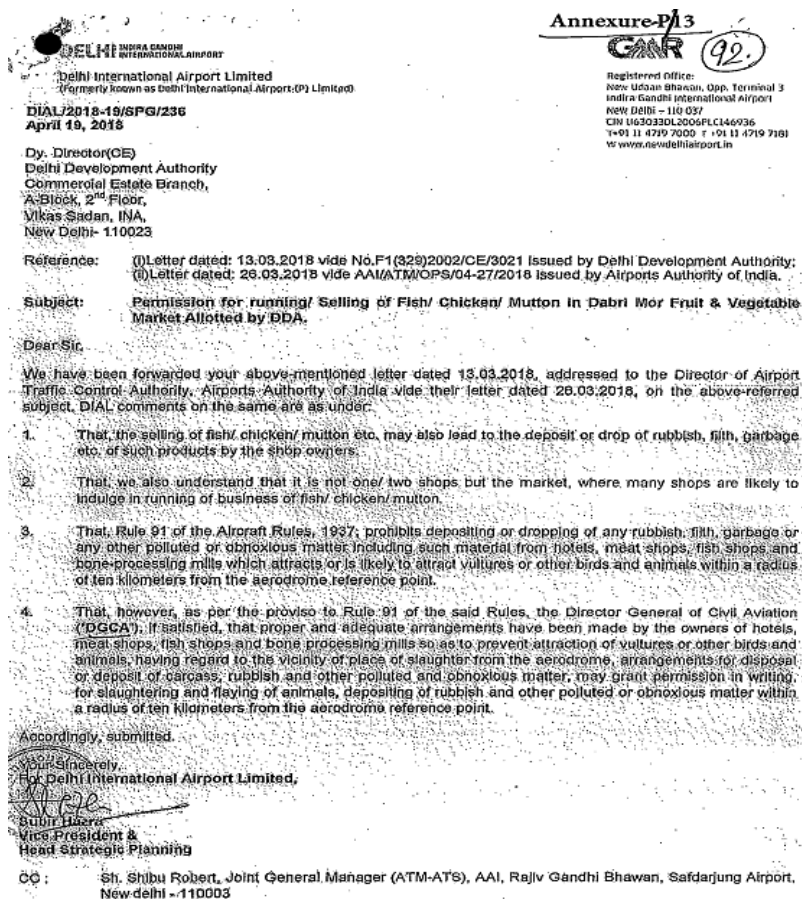


2025:DHC:8077



radius of 10 kilometers from the aerodrome. Further, the Civil Aviation Department has also clarified, that individual shop owners, who do business in small scale, may dispose waste from the shop, in the manner as required by the Aircraft Rules, 1937. Thus, the Office of the Director General of Civil Aviation, Civil Aviation Department, Government of India, has clarified that in cases where permissions are granted, it may be ensured that activities undertaken by the individual shop owners do not violate the provisions of Rule 91 of the Aircraft Rules, 1937.

21. Further, this Court takes note of the letter dated 19th April, 2018, issued by the Delhi International Airport Limited (“DIAL”), which reads as follows:





22. Perusal of the aforesaid letter issued by the DIAL clearly shows that it is the stand of DIAL that, in case, the Director General of Civil Aviation is satisfied that proper and adequate arrangements have been made by the respective owners of meat shops etc., so as to prevent attraction of vultures or other birds and animals, having regard to the vicinity of the place in question to the aerodrome, and there are proper arrangements for the disposal of carcass, rubbish etc., the Director General of Civil Aviation may grant permission.

23. Accordingly, it is evident that the petitioners are required to comply with the various directions in terms of Rule 91 of the Aircraft Rules, 1937.

24. Further, this Court notes the Policy of the MCD issued by the Department of Veterinary Services, *vide* Office Order dated 20th December, 2023, relevant portion of which, is reproduced as under:

“xxx xxx xxx

C. REGISTRATION OF PERSONS TO SELL MEAT OF CHICKEN OR FISH ON THE DOA/GOVT. AGENCIES ALLOTTED PLATFORMS/THADAS AT DIFFERENT LOCATIONS IN THE JURISDICTION OF MCD VIZ. DABRI MOR, CHITRANJAN PARK ETC.

The registration for the sale of chicken/fish on the platforms/thada allotted by the DDA or any other Govt. agency specifically for this purpose will be done subject to the following conditions.

The conditions of age above 18 years, medical fitness and fee/penalty structure for grant/renewal of license of meat shop as mentioned in the Meat Shop License Policy will also be applicable for the registration of ODA/Govt.Agencies allotted platforms/thadas for the purpose of selling meat of either chicken or fish.

Other conditions would be as under:-

- (i) the registration of DDA/Govt.agencies allotted platforms/thadas for sale of either chicken or fish can be done in the name of allottee or holder or occupier of the thada/platform and in no way entitles the applicants for ownership of platforms/thada in any form or manner and if at any stage before or after the registration it is found that the applicant has applied with improper/false documents, the registration will be deemed cancelled immediately with legal proceeding against the applicant/vendor.
- (ii) from the allotted platform/thada either poultry (chicken) or fish is allowed to be sold.
- (iii) top of the platform/thada allotted should be covered temporarily (with metro sheets or any other firm/safe material) with height of at least 9 feet from the floor level and should not be open to sky, with arrangement for light and water etc. ,



- (iv) there should be a number on each and every platform/thada to be given by the department after the registration is done irrespective of the DDA/Govt. Agency number given at the time of allotment.
 - (v) this structure in no way should be misconstrued as a shop or covered the bazari and does not entitle its allottee/holder/occupier of any ownership rights and this arrangement of registration of platform/chicken for sale of chicken or fish can be reviewed by the authorities as per the requirements/exigencies of the situation.
 - (vi) platform/thada should have the exact size as allotted by the DOA or any other govt agency/department without any encroachment of public land.
 - (vii) the chicken or fish waste, after the dressing, will have to be properly collected in a closed lid waste container by the owner without any spillage on the ground/surrounding area and ensure the disposal of the bio waste through agencies approved by the Govt. of NCT of Delhi. There should be proper channel of the platform/thada washings to the sewer nearby.
 - (viii) if the vendor wants to sell the already dressed chicken he will have to keep it in cold/ice box to prevent its spoilage and will not keep it for overnight i.e. all the chicken meat or fish has to be sold/disposed off by the vendor on the same day.
- The General and Technical Guidelines/SOPs are annexed herewith as Annexure-A.

xxx xxx xxx”

25. Thus, it is evident that MCD has its Policy for grant of a new/renewal of License to platforms/thadas, as allotted by the DDA at different locations in the jurisdiction of MCD, including, the area in question, i.e., *Dabri Mor*. Reading of the aforesaid Policy of the MCD makes it apparent that there are various conditions which have to be fulfilled for the purpose of grant of License for sale of meat, chicken, fish, from licensed platforms/thadas.

26. Accordingly, it is directed as follows:

- (i) The petitioners shall make representations to the Deputy Commissioner, Najafgarh Zone, MCD and Commercial Estate Branch of DDA.
- (ii) Upon the representations being made by the petitioners, the respective cases of the petitioners for withdrawal of the order of



revocation of Veterinary Trade License, as well as revocation of License by the DDA, including, de-sealing of their stalls in question, shall be considered and disposed of by the concerned officials of the MCD and DDA, within a period of four weeks, from today.

(iii) At the time of considering the representations of the petitioners, the concerned officials of DDA and MCD shall coordinate with each other, so that the representations of the petitioners are dealt within a comprehensive manner.

(iv) The petitioners shall be called for personal hearing, through themselves or through their authorized representatives, at the time of considering their representations.

(v) The respondents shall carry out inspection of the stalls of the petitioners, in order to assess the status of the stalls of the petitioners, for their compliances in terms of the Policy of the MCD.

(vi) The DDA and MCD shall satisfy themselves that the petitioners comply with the various compliances in terms of Rule 91 of the Aircraft Rules, 1937.

(vii) Representation of the petitioners shall be duly considered in terms of the Policy of the MCD, issued *vide* Office Order dated 20th December, 2023, by the Department of Veterinary Services, MCD.

(viii) Requisite orders for grant of Licenses by the DDA and MCD shall be issued in favour of the petitioners, subject to the petitioners complying with all the requisite directions, and fulfilling the various compliances in terms of the Policy of the MCD, as well as Rule 91 of the Aircraft Rules, 1937.

(ix) The requisite orders in the applications of the petitioners shall



2025:DHC:8077



be passed within a period of four weeks, from today.

(x) The petitioners shall be exempted from paying any fresh fees towards grant of License, wherever said fees, already stands paid by the petitioners on previous occasions.

27. With the aforesaid directions, the present writ petitions, along with the pending applications, are accordingly disposed of.

28. The next date of hearing, i.e., 24th November, 2025, stands cancelled.

MINI PUSHKARNA, J

SEPTEMBER 10, 2025/KR