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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 3806/2016 & C.M. No.16201/2016
RAJESH & ORS

..... Petitioners

Through Mr. Lohit and Mr. Awijit Paliwal,
Advts.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through Ms. Arti Bansal, Adv for SDMC.
Mr. Sanjeev Sabharwal, standing
counsel for the DDA.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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01.09.2016

There are nine petitioners before this Court. They are stated to be vendors/squatters at Madanpur Khadar, Sarita Vihar. To support this submission, they have placed on record certain prosecution challans which as per the respondents are of the year 2015 and do not create any vested right in favour of the petitioners.

The stand in the counter affidavit of the respondents is that on inspection of the site which was conducted on 12.05.2016, there was no squatter found at the site. This position is disputed by the petitioners who submit that the present petitioners who were squatting have been forcibly removed and then the photographs were taken.

Be that as it may, in view of the promulgation of the Street Vendors (Protection of Livelihood and Regulation of Street Vending)

Act, 2014 in terms of Section 3 (3), the contention of the petitioners is that they are adequately protected. They also relied upon the judgment of the Division Bench in LPA No.136/2016 Bhola Ram Patel Vs. NDMC & Others wherein the contention again being that unless a survey is carried out in terms of the aforementioned Act, no squatter can be removed. These submissions are noted.

This writ petition is disposed of giving liberty to the petitioners to get their grievances addressed before the Town Vending Committee (TVC) of respondent No. 1 as and when it is constituted as it has been informed to this Court that TVC of respondent No. 1 is yet in the process of being constituted.

No further orders are called for on this petition. Petition disposed of.

Order dasti under the signature of the Court Master.

INDERMEET KAUR, J

SEPTEMBER 01, 2016

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