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

+ **W.P.(C) 3139/2016**

BILLU RAM

..... Petitioner

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

Versus

NDMC

..... Respondent

Through: Mr. Sri Harsha Peechara & Mr.
Manan Jay Mishra, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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08.04.2016

1. The petitioner claiming to be vending near Gate No.4, Palika Bazaar, Connaught Place, New Delhi and having been dispossessed therefrom in pursuance to a general drive, seeks the relief of directing the respondent New Delhi Municipal Council (NDMC) to relocate him temporarily / provisionally at Gate No.4, Palika Bazaar, Connaught Place, New Delhi.
2. The counsel for the respondent NDMC appearing on advance notice states that all the hawkers / street vendors were removed from around the Palika Bazaar in pursuance to intelligence report and for public safety reasons.
3. I have in the order dated 19th February, 2016 in W.P.(C) No.1415/2016 titled *Akhilesh Kumar Vs. New Delhi Municipal Council* dealt with the said aspect in detail and need is thus not felt to reiterate the same.

4. Even otherwise, now that the respondent NDMC has started issuing the identity cards to the authorised vendors, it is felt that granting protection to any person to street vend from any particular site may come in the way of the exercise underway of identifying and allocating street vending sites.

5. The counsel for the petitioner draws attention to the order dated 13th March, 2015 in LPA No.141/2015 titled ***Prem Singh Vs. Municipal Corporation of Delhi.***

6. However the petitioner / applicant therein was holder of permanent tehbazari rights granted by erstwhile Municipal Corporation of Delhi and the petitioner cannot compare himself to the appellant in that case. Thus what has been observed therein does not apply to the petitioner.

7. The petition is thus disposed of with liberty to the petitioner to approach the Town Vending Committee.

RAJIV SAHAI ENDLAW, J

APRIL 08, 2016

‘gsr’..