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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3700/2016 & C.M. No.15796/2016

MOHD. KHURSHID

..... Petitioner

Through Mr.Kirti Uppal, Sr. Adv. with
Ms.Aastha Dhawan, Ms.Wamika
Trehan and Ms.Gauri P.Desai,
Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.

..... Respondents

Through Mr.Harsha Peechara and
Mr. Mananjay Kumar Mishra,
Advocate for R-1.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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25.07.2016

Petitioner is stated to be a squatter at a site at Regal Building near Khadi Gram Udyog, Connaught Place, New Delhi. He is stated to be a squatter since 1997. He has admittedly be removed from the site some times in February, 2016. Submission of the petitioner is that he is protected under Section 3(3) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and the definition as contained in Section 2(l) of the said Act includes even a past squatter. Submission is that she should be restored that site.

On advance notice respondent has put in appearance. His submission is that the petitioner is not a licensed Tehbazari holder. At best he can only be an unauthorised squatter. That apart learned

counsel for the respondent submits that the Town Vending Committee (TVC) has been constituted qua respondent.

All grievances of the petitioner may be addressed before the TVC; they would be also in conformity with the judgment passed by the Division Bench in LPA No.136/2016 titled as Bhola Ram Patel vs. New Delhi Municipal Council & Anr. decided on 18.5.2016.

Learned counsel for the petitioner submits that since the petitioner has been removed from site this grievance of the petitioner may be within the domain of the TVC.

This Court need not delve into this aspect as the constitution of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 which encompasses all rights of the street vendors and the judgment of Bhola Ram (supra) had laid down the law on this aspect. In this view of the matter it would appropriate for the petitioner to approach the TVC for the redressal of his grievance, if any. As when representation is made to the concerned TVC, the same shall be answered in accordance with law within four months.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

JULY 25, 2016

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