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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4383/2016 & C.M. No.18348/2016**
DINESH KUMAR

..... Petitioner

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

versus

NEW DELHI MUNICIPAL COUNCIL & ORS

..... Respondents

Through Mr. Harsha Peechara and Mr.
Mananjay Kumar Mishra, Advocates
for R-1.
Mr. Devesh Singh and Mr. Vinod
Kumar Bharti, Advs. for GNCTD.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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25.07.2016

Petitioner is stated to be a squatter from opposite Shop No.13, Pind Baluchi Restaurant Subway Corner, Regal Building, Connaught Place since the year 1992. He has admittedly been removed from the site. 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 his site should be restored.

On advance notice, respondent No. 1 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 No.1.

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 be appropriate for the petitioner to approach the TVC for the redressal of his grievance, if any. As and 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.

Order dasti.

INDERMEET KAUR, J

JULY 25, 2016

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