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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ LPA 361/2016 & CM 24806/2016 (stay)
HEMLATA

..... Appellant

Through Mr Ritesh K. Choudhary and Mr
Rahul Kumar, Advs.

versus

NDMC & ANR

..... Respondent

Through Mr Harsha Peechara, Addl. Standing
Counsel for NDMC with Mr Manan
Jay Mishra, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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26.08.2016

CM 21372/2016 (condonation of delay)

This is an application for condonation of delay of 329 days in filing the present Letters Patent Appeal.

The appellant/applicant is a physically challenged person and a street vendor. She had submitted a representation to the Chairman of New Delhi Municipal Committee as the Town Vending Committee had not been constituted and as she was under the impression that The Town Vending Committee would decide her claim. However, nothing has happened till date.

There is no opposition to the application for condonation of delay. However, it is stated that the Town Vending Committee was set up on 04.05.2016.

Learned counsel for the appellant has drawn our attention to the order dated 18.05.2016 passed in LPA 136/2016, titled *Bhola Ram Patel v. New*

Delhi Municipal Council & Anr” in which the Division Bench of this Court had examined the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and has issued direction. The said directions are clearly binding on the respondent – New Delhi Municipal Council and the appellant. In these circumstances, we are inclined to condone the delay in filing the present Letters Patent Appeal.

The application is allowed.

LPA 361/2016

After some hearing, learned counsel for the appellant and the respondent – NDMC state that the present appeal may be disposed of in terms of the directions contained in paragraph 26 of the decision in *Bhola Ram Patel* (supra).

Learned counsel for the respondent – NDMC states that an application for clarification of decision dated 18.05.2016 has been filed and the order has been reserved. The appellant and the respondent will be bound by the directions, if any, issued by the Division Bench in the said application.

Learned counsel for the appellant states that he may move an application if so advised in *Bhola Ram Patel* (supra). We do not make any comments.

It is ordered accordingly.

The appeal stands disposed of.

Pending CM also stands disposed of.

SANJIV KHANNA, J

SUNITA GUPTA, J

AUGUST 26, 2016/*rd*