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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5559/2016 & C.M. No.23153/2016
AZHAR KHAN

..... Petitioner

Through Mr. Satish Kumar Tripathi, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL

..... Respondent

Through Mr. Harsha Peechara and Mr.
Mananjay Kumar Mishra, Advocate.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **25.07.2016**

Petitioner is stated to be a squatter in front of Gate No. 3, Palika Bazar, New Delhi since 2002. 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(1) of the said Act includes even a past squatter. Submission is that his site should be restored.

On advance notice, the 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 the 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 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.

INDERMEET KAUR, J

JULY 25, 2016

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