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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 9307/2016

RAJ PRASAD TIWARI AND ANR

..... Petitioners

Through Mr.N.K.Sahoo, advocate.

versus

NEW DELHI MUNICIPAL COUNCIL

..... Respondent

Through Mr.Sri Harsha Peechara, ASC with
Mr. Mananjay Kumar Mishra,
Advocate for NDMC.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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19.10.2016

Petitioners before this Court are the two other sons of Suga Tiwari. Suga Tiwari was carrying on his tehbazari in front of Gate Nos.3 and 4, Palika Bazar, Connaught Place, New Delhi. He has expired on 15.4.2013. Contention of the petitioner is that at present this vending site is used by Lal Bihari Tiwari (other son) only. He has given wrong information to this Court that he is alone entitled to the tehbazari rights of his father after his death.

Petitioners before this Court are the two other sons of Suga Tiwari. Prayer is that their names be substituted in place of their deceased father.

Learned counsel for respondent has put in appearance. He

submits that this issue can be decided by the Town Vending Committee (TVC) which has been constituted of the New Delhi Municipal Council/respondent no.1.

Learned counsel for petitioner at this stage, submits that the Division Bench-I has stayed the scheme which has been promulgated after the promulgation of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and as such the TVC is not functional. This statement is disputed by the learned counsel for respondent no.1 who submits that TVC of respondent no.1 has been constituted before the stay of the Scheme. Accordingly, this representation of the petitioner shall be answered by the TVC on the petitioner approaching the TVC of respondent no.1.

Petition disposed of in the above terms.

Order dasti.

INDERMEET KAUR, J

OCTOBER 19, 2016
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