

\$~26

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8218/2016**
RAHUL GUPTA

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

versus

NEW DELHI MUNICIPAL COUNCIL AND ORS

..... Respondents
Through Mr.Sri Harsha Peechara, ASC for
NDMC along with Mr. Mananjay
Mishra, Adv.
Ms.Jyoti Taneja, Advocate for
GNCTD.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **19.09.2016**

C.M. No.34084/2016 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

W.P.(C) 8218/2016 & C.M. No.34083/2016

The petitioner before this Court is Rahul Gupta. He is stated to be the legal representative/legal heir of Manju Gupta who was squatting at a site opposite Khadi Gram Udyog, Regal Cinema, Connaught Place, New Delhi. After her death in 2013 the petitioner is stated to be squatting at the site since then. The death certificate

late Manju Gupta is however not on record. What is on record certain prosecution challans which are of the years 2013, 2015 and 2016. Submission before this Court is that the he is entitled to be substituted in place of his mother. Additional submission is that since he is squatting at the aforementioned since 2013 he has right under Section 3(3) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

Per contra, learned counsel for the respondent states that the provisions of Section 5(2) of the said Act would not be applicable as the original vendee namely Manju Gupta was an unauthorized squatter.

Be that as it may, since the admitted position as on date is that the Town Vending Committee (TVC) of NDMC (respondent no.1) has since been constituted, the grievance, if any, of the petitioner will be answered by the TVC.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

SEPTEMBER 19, 2016

ndn