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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Judgment: 2nd March, 2017

+ **W.P. (C) 559/2017 & C.M. No.2591/2017**

BALWANT SINGH

..... Petitioner

Through Mr.S.K.Singh, Adv. with
Ms.Renu Singh, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR Respondents

Through Mr.Sri Harsha Peechara, ASC, NDMC
with Mr.Mananjay K. Mishra &
Ms.Vidhi Jain, Advs. for NDMC.
Mr.Ashish Mohan, Adv. with
Mr.Chetan Rai Wahi, Adv. for
Sarojini Nagar Market Association.

+ **W.P. (C) 959/2017 & C.M. No.4404/2017**

OM PRAKASH PATHAK & ORS

..... Petitioners

Through Mr.Dharmender Sharma, Adv. with
Ms.Monika Singh, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL AND ORS Respondents

Through Mr.Sri Harsha Peechara, ASC, NDMC
with Mr.Mananjay K. Mishra &
Ms.Vidhi Jain, Advs. for NDMC.
Mr.Devesh Singh, ASC with
Mr.Vinod Kumar Bhati, Adv. For
GNCTD.

Mr.Ashish Mohan, Adv. with
Mr.Chetan Rai Wahi, Adv. for
Sarojini Nagar Market Association.

+ **W.P. (C) 1301/2017 & C.M. No.5963/2017**

MAUZI @ MOZI @ MD. ISLAM Petitioner
Through Mr.S.K.Singh, Adv. with
Ms.Renu Singh, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR Respondents
Through Mr.Sri Harsha Peechara, ASC, NDMC
with Mr.Mananjay K. Mishra &
Ms.Vidhi Jain, Advs. for NDMC.
Mr.Shatrajit Banerji, Adv. for
Mr.Gautam Nayaran, ASC for R-2.
Mr.Ashish Mohan, Adv. with
Mr.Chetan Rai Wahi, Adv. for
Sarojini Nagar Market Association.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI
HON'BLE MR. JUSTICE VINOD GOEL

G.S.SISTANI, J. (ORAL)

1. Petitioners in the present writ petitions are in the list of 628 persons and claim that they have been continuously squatting at different sites in Sarojini Nagar area.
2. During the course of hearing, an offer was made by Mr.Peechara, learned counsel for NDMC that NDMC would consider allotting sites

to such persons who were removed in September-October, 2016 and are in the list of 628 persons.

3. We may note that this Court had made a spot inspection of the area of Laxmi Bai Nagar in the presence of the Standing Counsel, NDMC, Chairman, NDMC, Director (Enforcement) and also some of the lawyers including Mr.Sumit, Mr.Tripathi. Principally, this site found favour with the counsels appearing for the Street Vendors.
4. Today, the petitioners in writ petitions being W.P. (C) Nos.559/2017, 959/2017 and 1301/2017 have given their consent for being allotted sites at Laxmi Bai Nagar. It is agreed between the counsels that the procedures for allotment should be transparent and fair. The allotment will be made as per seniority out of the persons who are in the list of 628 persons and have been removed around September-October, 2016 and also thereafter, at the first instance.
5. Mr.Peechara submits that notices will be sent to all those persons who have been removed out of 628 persons; a seniority list will be prepared; service on those persons will be ensured; and one week's time will be given to accept the offer, failing which the offer will be given to the next eligible persons. In case all the petitioners in the aforesaid matters are found eligible, they shall be given allotment, subject to the usual norms and terms of NDMC. Leave as prayed is granted to the petitioners to approach this Court in case they are not found successful and there is any grievance at their end.

6. The writ petitions are accordingly disposed of.
7. Pending applications also stand disposed of.

G. S. SISTANI, J.

VINOD GOEL, J.

MARCH 02, 2017/ka

