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

+ W.P.(C) 1437/2017

SANGEETA RAI

..... Petitioner

Through Mr. Swaran Kumar, Advocate

versus

MUNICIPAL CORPORATION OF DELHI (SOUTH) Respondent

Through Ms. Manorama Masih, Advocate for the
respondent SDMC along with Mr. M.P.
Singh, Licensing Inspector.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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21.11.2017

On 17.02.2017, the following order was passed by this Court:

“Earlier writ petition being WP(C) No.956/2016 was withdrawn without any liberty to file a fresh petition. The present petition has been filed almost on identical grounds. The petitioner claims to be a licenced Tehbazari holder, who has been removed from her site due to construction work of Barapullah Flyover. She claims that the alternate site provided is not viable. Counsel for respondent, who enters appearance on an advance copy, submits that the present petition is misconceived. Additionally, the petitioner cannot claim a site of her own choice. 30 other similarly situated persons have accepted the alternate sites but the petitioner has declined the offer. She seeks an adjournment to place an affidavit on record with supporting documents and photographs.”

Thereafter, the matter has been adjourned from time to time to enable the parties to file reply and rejoinder. Learned counsel for the respondent reiterates her submission that the petitioner cannot be accommodated at a place of her choice. She submits that the respondent is willing to accommodate her along

with 30 other persons, who are similarly situated and have been accommodated on the same stretch of road.

Let the offer be made to the petitioner within two weeks. Binding the respondent to the offer made in the Court that the petitioner would be shifted along with 30 other persons, who are similarly situated and her livelihood would not be obstructed, the writ petition stands disposed of.

G.S.SISTANI, J

V. KAMESWAR RAO, J

NOVEMBER 21, 2017

pst /
W.P.(C) 1437/2017