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

+ W.P.(C) 1763/2017
+ W.P.(C) 1764/2017
+ W.P.(C) 1774/2017
+ W.P.(C) 1778/2017
+ W.P.(C) 1779/2017
+ W.P.(C) 1790/2017
+ W.P.(C) 1797/2017
+ W.P.(C) 1799/2017
+ W.P.(C) 1801/2017

RAKESH KUMAR	 Petitioner
NEERAJ	 Petitioner
BRIJESH KUMAR	 Petitioner
HARINDER	 Petitioner
MAHAVIR	 Petitioner
RAJESH KUMAR @ RAJU	 Petitioner
PRABHU DAYAL	 Petitioner
AJAY PAL	 Petitioner
KISHAN KUMAR & OTHERS	 Petitioner

Through: Mr. Dharmender Sharma, Advocate with
Ms. Monika Singh, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION (SDMC) & ANR

..... Respondent

Through: Ms. Saroj Bidawat, Advocate for SDMC
in item no. 29.

Mr. Roshan Lal Goel, Advocate with Ms. Anju
Gupta, Advocate for SDMC in item no. 30 & 33.

Ms. Archana Sharma, Advocate for SDMC in item
no. 31.

Mr. Pratap Singh Ahluwalia, Advocate for SDMC
in item no.32.

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Ms. Jyoti Taneja, Advocate for R-2 in item no. 32.
Ms. Sangeeta Chandara, Advocate with Mr. Lokesh Kumar Sharma, Advocate for SDMC in item no. 34.
Mr. Sachin Nahar, Advocate for R-2 in item no.33 & 37
Mr. Rajan Tyagi, Advocate for SDMC in item no.35.
Ms. Shobha Gupta, Advocate for SDMC in item no. 36.
Ms. Manorama Masih, Advocate for SDMC in item no. 37.
Mr. Rajat Malhotra, Advocate for R-2 along with ASI Yashpal, PS Kalkaji, New Delhi in item no.29 & 34 to 36.

CORAM:

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

ORDER

% 27.02.2017

CM.APPL 7829-7830/2017 (Exemption)

CM.APPL 7832-7833/2017 (Exemption)

CM.APPL 7855-7856/2017 (Exemption)

CM.APPL 7862-7863/2017 (Exemption)

CM.APPL 7865-7866/2017 (Exemption)

CM.APPL 7929-7930/2017 (Exemption)

CM.APPL 7986-7987/2017 (Exemption)

CM.APPL 7991-7992/2017 (Exemption)

CM.APPL 7997-7998/2017 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 1763/2017 & CM 7831/2017 (stay)

W.P.(C) 1764/2017 & CM 7834/2017 (stay)

W.P.(C) 1774/2017 & CM 7857/2017 (stay)

W.P.(C) 1778/2017 & CM 7864/2017 (stay)

W.P.(C) 1779/2017 & CM 7867/2017 (stay)

W.P.(C) 1790/2017 & CM 7931/2017 (stay)

W.P.(C) 1797/2017 & CM 7988/2017 (stay)

W.P.(C) 1799/2017 & CM 7993/2017 (stay)

W.P.(C) 1801/2017 & CM 7999/2017 (stay)

These writ petitions are being disposed of by a common order. The petitioners claim to be vending at various sites as detailed below: -

1.	Rakesh Kumar	Nehru Place Complex, New Delhi.
2.	Neeraj	Opp. Ram Piyau Parking, Lotus Temple Lane, Kalkaji, New Delhi.
3.	Brijesh Kumar	Near Bus Terminal Gate No. 1, Nehru Place, New Delhi.
4.	Harinder	Near Bus Terminal Gate No. 2, Nehru Place, New Delhi.
5.	Mahaveer	Near Bus Stand Govind Puri, Gali No. 1, New Delhi.
6.	Rakesh Kumar @ Raju	Opp. Lotus Temple, Kalkaji Temple Marg, New Delhi.
7.	Prabhy Dayal	Outside Gate No. 1, Kalkaji Metro Station, New Delhi.
8.	Ajay Pal	Near Bus Terminal Gate No.2, Nehru Place, New Delhi.
9.	Kishan Kumar	Near 55 Maduwan Building, Nehru Place Complex, New Delhi.
	Rakesh	Near 57 Maduwan Building, Nehru Place Complex, New Delhi.
	Kishan Pal Singh	Near 55 Maduwan Building, Nehru Place Complex, New Delhi.

The petitioners also claim that they have been removed by the officials of the respondent. Mr. Sharma submits that the petitioners apprehend that as and when a survey is conducted and the petitioners are not found vending, they may not be considered for grant of licences.

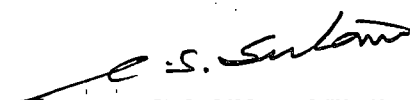
Counsel for the respondents deny each and every averment made in the writ petition. It is further submitted that because the petitioners are not found vending as and when a survey is conducted that by itself would not be a ground to reject their claims provided the petitioners are able to provide necessary supporting documents. However, as agreed, the writ petitions are disposed of with the following directions: -

- (i) The cases of the petitioners would be considered by the Town Vending Committee at the appropriate stage.
- (ii) Merely because the petitioners are not found vending when the survey is conducted, would not be a ground alone to reject their case, in case the vendors produce supporting documents.

We make it clear that we have not expressed any opinion on the merit of the matters.

With the above said directions, the petitions are disposed of.

Dasti.


G.S.SISTANI, J


VINOD GOEL, J

FEBRUARY 27, 2017

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