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

+ W.P.(C) 2087/2017

ZARINA

..... Petitioner

Through Mr.Pramod Kr. Sharma, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR

..... Respondents

Through Mr.G.D.Mishra, Adv. for R-1 along with
Mr.Rajesh Sehrawat, Licensing Inspector,
City Zone, NDMC, in person.
Mr.Deeptakirti Verma, Adv. for R-2
along with SI Pankaj Tomar, in person.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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06.03.2017

Petitioner was allotted a *tehbazari* site bearing No.4083 at Gandhi Ground Kaccha Bagh, Delhi Jal Board, Delhi vide Communication dated 15.06.2011, a copy of which has been placed on record. The grievance of the petitioner is that the petitioner is being harassed by the officials of respondent No.2.

Learned counsels for the respondents enter appearance on an advance copy. Learned counsel for respondent No.2 submits that the allegations made by the petitioner in the petition are unfounded and baseless. Counsel submits that the petitioner has not approached this Court with clean hands and has failed to disclose to this Court that the petitioner is not squatting at the site allotted but at a different place (in front of Shani Mandir) which is leading to traffic congestion.

Learned counsel for the petitioner submits that the petitioner is being singled out while other illegal squatters are allowed to squat outside the Shani Mandir, which is also denied by the learned counsel for respondent No.2.

Learned counsels for respondents No.1 & 2 submit that in case the petitioner restricts her vending activity to the site allotted, they would in no way cause any obstruction in her lawful activities.

With the consent of the parties, we dispose of this writ petition with the following agreed directions:-

- (i) The petitioner would be allowed to squat at the site allotted, i.e. bearing No.4083 at Gandhi Ground Kaccha Bagh, Delhi Jal Board, Delhi, unhindered. The petitioner will follow the norms of the Corporation.
- (ii) The respondents will not allow any illegal squatters in and around Shani Mandir.

The writ petition is disposed of accordingly.

C.M. No.9126/2017 (for stay)

Application stands disposed of in view of the order passed in the writ petition.

G.S.SISTANI, J.

VINOD GOEL, J.

MARCH 06, 2017/ka /