

\$~7

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 2231/2017
PAVITRI DEVI Petitioner
Through Mr. Anand Shailani, Advocate

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR Respondents
Through Mr. Mananjay Kumar Mishra and
Ms. Vidhi Jain, Advocates for respondent
no.1.
Mr. Saurabh Chadda, Advocate for
respondent no.2.

CORAM:

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

ORDER

% **10.03.2017**
CM.APPL 9708/2017(Exemption)

Exemption allowed, subject to all just exceptions.

The applications stand disposed of.

W.P.(C) 2231/2017

Petitioner claims to be vending near Gate no.3, Palika Bazar, Connaught Place, New Delhi. Mr. Shailani, learned counsel appearing for the petitioner submits that the petitioner has been illegally removed. He further submits that the rights of the petitioner will be affected as and when a survey is conducted and in case the petitioner is not found vending at the site in question.

Mr. Mishra, learned counsel who enters appearance on an advance copy submits that he does not admit any of the averments made in the writ petition. However, as and when the survey is conducted that by itself would not be a ground to reject the case of the petitioner.

Resultantly, with the consent of the parties, the writ petition is disposed of

with the following agreed direction:

- (i) As and when the survey is conducted and the petitioner is not found squatting at the site, that by itself would not be a ground to reject the case of the petitioner, subject to the petitioner's providing necessary documents in support of his claim.

This order is being passed without prejudice to the rights and contentions of both the parties and without expressing any opinion on the merits of the matter.

The writ petition is disposed of.

CM. APPL 9707/2017 (direction)

Application stands disposed of in view of above.

G.S.SISTANI, J

VINOD GOEL, J

MARCH 10, 2017

pst /
W.P.(C) 2231/2017