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

+ W.P.(C) 2322/2017

PREM LATA Petitioner

Through Mr.Dharmender Sharma, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL (NDMC) & ORS..... Respondents

Through Mr.Sri Harsha Peechara, ASC, NDMC
with Ms.Vidhi Jain, Adv. for R-1 & 2
along with Mr.Narayan Kumar, ALO,
NDMC, in person.
Mr.Ankur Chhibber, Adv. for R-3.
Mr.Ashish Mohan, Adv. with Mr.Mohit
Kumar, Adv. for Sarojini Nagar Market
Association.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **15.03.2017**

C.M. Nos.9958/2017 & 9959/2017 (exemption)

Exemption allowed, subject to all just exceptions.

Applications stand disposed of.

W.P. (C) No.2322/2017

Petitioner claims to be squatting at the site, i.e. opposite DLF Mall, G-Avenue Road, Sarojini Nagar Market, New Delhi. Copies of challans have been placed on record to show that the petitioner has been continuously squatting.

Mr.Peechara, learned Standing counsel for NDMC enters appearance on an advance copy. He submits that the present petition is misconceived and has

been filed with a view to obtain discretionary relief by misleading the Court. He submits that the copies of challans, which have been placed on record, are misleading, as duplicate copies have been filed at pages 17 & 18, 19 & 20, 21 & 22 and 23 & 24. He further submits that these challans are, in fact, a daily permission which was granted to the petitioner in the year 2005.

Learned counsel for the petitioner submits that the petitioner only restricts her claim to the extent that as and when a Town Vending Committee is formed, the case of the petitioner should be considered in accordance with law.

We have heard the learned counsel for the parties. We find that the petitioner has made false averments with regard to her squatting at the site in question. We also find that there is no explanation as to why duplicate copies of challans have been filed. Although the counsel for the petitioner submits that it is a mistake, but we are not satisfied how such a mistake can occur on four occasions. Be that as it may, the petition is dismissed as not pressed. However, we make it clear that should the petitioner approach the TVC, the TVC would consider the case of the petitioner in accordance with Law. We make it clear that we have not expressed any opinion on the merits of the matter.

C.M. No.9960/2017 (for stay)

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

G.S.SISTANI, J.

VINOD GOEL, J.

MARCH 15, 2017/ka/