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

+ W.P.(C) 2832/2017

SANTOSH

..... Petitioner

Through Mr.Dharmender Sharma, Adv.

versus

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

Through Mr.Sri Harsha Peechara, ASC, NDMC
with Mr.Mananjay Mishra, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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08.05.2017

The original challans, which were handed over in Court, are handed back to Mr.Sharma, learned counsel for the petitioner.

Petitioner has filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondents not to disturb his possession at the site, i.e. opposite Shop No.30, Sarojini Nagar Market, New Delhi.

On the last date of hearing itself, the learned counsel for the petitioner had made a statement that at this stage, the petitioner restricts his prayer only to the extent that as and when the Town Vending Committee ("TVC") is constituted, his case should be considered in accordance with law and merely because he is not found squatting at the site should not be a ground alone to reject his case.

Today, the learned counsel for the NDMC/respondent No.1, without admitting any of the averments made in the writ petition, submits that though the TVC has been constituted, but as and when it is functional and in case the

petitioner is able to place relevant documents on record, the TVC will consider the case of the petitioner in accordance with law and merely because the petitioner is not found vending at the site at the time of survey, that would not be a ground alone to reject his case.

Accordingly, the writ petition is disposed of on the above terms. We make it clear that we have not expressed any opinion on the merits of the matter.

C.M. No.12351/2017 (for stay)

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

G.S.SISTANI, J.

VINOD GOEL, J.

MAY 08, 2017/ka /