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

+ W.P.(C) 4295/2017

VIJAY KUMAR @ SANT RAM Petitioner

Through: Mr.K.K. Mishra, Adv.

versus

DDA & ORS

..... Respondents

Through: Mr.Sanjeev Sabharwal with Mr.Hem
Kumar, Adv. for DDA.

Mr.Udit Gupta, Adv. for R3&4.

Mr.Mukesh Gupta, Adv. for SDMC.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

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17.05.2017

CM No. 18745/2017

Exemption is allowed, subject to all just exceptions.

The application stands disposed of.

CM No. 18744/2017 & W.P.(C) 4295/2017

The petitioner claims to be a vendor since the year 1980 onwards at Nehru Place. Reliance is placed on an identity card issued by the DDA showing him to be a street vendor in Nehru Place area. Petitioner also claims to have deposited a sum of Rs.1,000/- as security deposit for Khomcha in Nehru Place on 17.11.1986. The complaint of the petitioner is that shops have been allotted in Nehru Place and Tilak Nagar but the petitioner has been singled out. He submits that representations made in the years

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2006, 2008 and a detailed communication dated 20.03.2017, have not been decided. Counsel for DDA enters appearance on an advance copy and submits that the present petition is not maintainable as DDA is no longer the land owing agency as the area in question stands transferred to the MCD. Additionally, both the counsel for DDA and MCD submit that Nehru Place has been declared as a no hawking, no vendoring zone. The petitioner has no right to vend in the said area and no benefit would accrue in favour of the petitioner solely on the deposit of Rs.1,000/- in the year 1986.

Mr.Mishra, learned counsel for the petitioner at this stage submits that a direction be issued to the DDA to decide the detailed communication dated 20.03.2017. Counsel for DDA has no objection, however, he submits that DDA disputes each and every averment in the writ petition and further that no right has accrued in favour of the petitioner and the period of limitation cannot be extended by a communication addressed in the year 2017. We dispose of this writ petition with the direction to DDA to dispose of the representations in the form of communication dated 20.03.2017 within a period of four weeks from today. The petitioner will be granted a personal hearing.

The rights & contentions of all the parties are kept open.

G.S.SISTANI, J

C. HARI SHANKAR, J

MAY 17, 2017/neelam
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