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

+ W.P.(C) 9221/2016 & C.M. No.37269/2016 (for stay)

MAYA BEGUM

..... Petitioner

Through Mr.Ramesh Kumar Mishra, Adv. with
Mr.Krishna Kumar Singh, Mr.Rajnish
Kumar Singh & Mr.Mukesh Kumar,
Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR

..... Respondents

Through Mr.Roshan Lal Goel, Adv. with
Ms.Anju Gupta, Adv. for SDMC.
Ms.Jyoti Taneja, Adv. for GNCTD.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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23.01.2017

Apprehending that the respondents would remove the petitioner from Footpath, near B-39, Shivalik, Malviya Nagar has led to the filing of the present writ petition. The petitioner claims to be a street vendor who has been squatting at the above site since the year 2000-2001. The petitioner had also applied for issuance of a *tehbazari* licence in terms of the policy formulated by respondent No.1 in the year 2007. The application was not considered favourably, though the Zonal Vending Committee by an order dated 02.11.2010 held that the petitioner is entitled to invoke the benefits of Delhi Laws (Special Provisions) Second Act, 2009 and thereby granted status-quo till 31.12.2010 in respect of the above site of the petitioner as per Sodan Singh Guidelines. The petitioner thereafter filed an appeal before the Appellate Authority for extension of the

status quo order dated 02.11.2010. The Appellate Authority by an order dated 30.04.2013 recorded that the status-quo order has already been extended up to 31.12.2014 under the NCT of Delhi Laws (Special Provisions) Second Act, 2011.

Learned counsel appearing for the South Delhi Municipal Corporation, on instructions from Mr.Vinod Kumar Rai, Licensing Inspector, SDMC, submits that the apprehension of the petitioner is unfounded and misplaced. The petitioner is neither being harassed nor will the petitioner be removed till the finalization of the Town Vending Committee.

In view of the stand taken by respondent No.1, we dispose of the writ petition binding respondent No.1 to the statement made by the counsel in Court today on instructions. Rights of both the parties are kept open. In case of any change in circumstances, either party will take appropriate measures in the matter. Pending application also stands disposed of.

G.S.SISTANI, J.

VINOD GOEL, J.

JANUARY 23, 2017/ka /