

\$~17

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

+ W.P.(C) 9238/2016 & C.M. No.37334/2016 (for stay)

PRAMATMA PRASAD

..... 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.Deepak, Adv for SDMC.
Mr.Raghvendra Pandey, Adv. with
Mr.Sanjeev Singh, Adv. for GNCTD.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

%

23.01.2017

Apprehending that the respondents would remove the petitioner from Footpath, in front of Building No.17, Community Centre, New Friends Colony 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 1997-98. 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 and the Zonal Vending Committee by an order dated 31.03.2010 held that the petitioner is not entitled for preferential allotment of *tehbazari* site as per Sodan Singh Guidelines. The petitioner thereafter filed an appeal before the Appellate Authority. The Appellate Authority by an order dated 11.11.2011 granted an order of status-quo.

Learned counsel appearing for the South Delhi Municipal Corporation, on instructions, 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 /