

\$~33 to 49

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

+ W.P.(C) 11115/2016

DEVENDER

..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL & ANR

..... Respondents

+ W.P.(C) 11190/2016

SATYA NARAYAN SHARMA

..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR

..... Respondents

+ W.P.(C) 11203/2016

HARCHARAN SINGH

..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL & ANR

..... Respondents

+ W.P.(C) 11205/2016

BRIJ MOHAN @ SHASHI

..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR

..... Respondents

+ W.P.(C) 11206/2016

RANJIT SINGH

..... Petitioner

versus

NDMC & ANR

..... Respondents

+ W.P.(C) 11561/2016

MURARI LAL SHARMA

..... Petitioner

versus

NEW DELHI MUNICIPAL CORPORATION AND ANR

..... Respondents

+ W.P.(C) 11593/2016

NARENDER KUMAR

..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL & ANR

..... Respondents

W.P.(C) 11115/2016 etc.

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- + W.P.(C) 11983/2016
DEVI CHARAN Petitioner
versus
NEW DELHI MUNICIPAL COUNCIL (NDMC) & ORS..... Respondents

- + W.P.(C) 11987/2016
ARUN KUMAR @ LUCKY Petitioner
versus
NEW DELHI MUNICIPAL COUNCIL (NDMC) & ORS..... Respondents

- + W.P.(C) 11996/2016
RAJESH KUMAR Petitioner
versus
NEW DELHI MUNICIPAL COUNCIL (NDMC) & ORS.... Respondents

- + W.P.(C) 12011/2016
VISHNU DAYAL AGGARWAL Petitioner
versus
NDMC & ORS. Respondents

- + W.P.(C) 12098/2016
ROHIT CHAWLA Petitioner
versus
NEW DELHI MUNICIPAL COUNCIL (NDMC) & ORS..... Respondents

- + W.P.(C) 12166/2016
PURAN CHAND Petitioner
versus
NEW DELHI MUNICIPAL COUNCIL AND ANR Respondents

- + W.P.(C) 381/2017
GOVIND SINGH & ANR. Petitioners
versus
NEW DELHI MUNICIPAL COUNCIL (NDMC) & ORS..... Respondents

+	W.P.(C) 1162/2017	
	KUSUM DEVI	 Petitioner
	versus	
	NEW DELHI MUNICIPAL COUNCIL AND ANR	 Respondents
+	W.P.(C) 2865/2017	
	HARI OM	 Petitioner
	versus	
	NEW DELHI MUNICIPAL COUNCIL & ANR	 Respondents
+	W.P.(C) 3557/2017	
	SUSHIL KUMAR	 Petitioner
	versus	
	NEW DELHI MUNICIPAL COUNCIL & ORS	 Respondents

Present: Mr.N.K.Sahoo, Advocate for thepetitioners in item no.33 to 39.
Mr.Dharmender Sharma and Ms.Monika Singh, advocates for the
petitioners in item nos.40 to 49.
Mr.Ashish Mohan and Mr.Akshit Mago, Advocats for Sarojini
Nagar Market Association in all the matters.
Mr.Harsha Peechara, Standing counsel for NDMC with
Mr.Mananjay Mishra and Mr.Chetan Sharma, Advts. in all the
matters.
Mr.Devesh Singh, ASC, GNCTD with Ms.Neelam Kholiya, Adv.
for respondent no.2 in item no.33 & 35.
Mr.Arun K.Sharma and Mr.Iraam Majid, Advocates for R-2 in
items no.34, 36 & 37.
Mr.Gautam Narayan, ASC, GNCTD with Ms.Mahamaya
Chatterjee, Adv. in item no.48.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **20.11.2017**

CM.APPL 35727/2017 in W.P.(C).11115/2016
CM.APPL 35726/2017 in W.P.(C).11190/2016

W.P.(C) 11115/2016 etc.

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CM.APPL 35728/2017 in W.P.(C).11203/2016
CM.APPL 35744/2017 in W.P.(C).11205/2016
CM.APPL 35746/2017 in W.P.(C).11206/2016
CM.APPL 35748/2017 in W.P.(C).11561/2016
CM.APPL 35747/2017 in W.P.(C).11593/2016
CM.APPL 31608/2017 & 36019/2017 in W.P.(C).11983/2016
CM.APPL 31611/2017 & 36020/2017 in W.P.(C).11987/2016
CM.APPL 31582/2017 & 36010/2017 in W.P.(C).11996/2016
CM.APPL 31581/2017 & 36011/2017 in W.P.(C).12011/2016
CM.APPL 31600/2017 & 36014/2017 in W.P.(C).12098/2016
CM.APPL 31583/2017 & 36012/2017 in W.P.(C).12166/2016
CM.APPL 35752/2017 in W.P.(C).381/2017
CM.APPL 31588/2017 & 36013/2017 in W.P.(C).1162/2017
CM.APPL 35729/2017 in W.P.(C).2865/2016
CM.APPL 31612/2017 & 36017/2017 in W.P.(C).3557/2017

This batch of these writ petitions was disposed of on 17.05.2017 on the basis of an agreed order.

The aforesaid writ petitions pertain to those street vendors whose names find mentioned in the list of 628 street vendors prepared by the NDMC but were removed on or around 06.10.2016 as they were blocking free movement of pedestrians. With a view to accommodate these 17 persons, the site at D-Avenue was located and orders were accordingly passed. Under the fear and apprehension that other persons similarly situated may raise a grievance that they are being re-located at Laxmi Bai Nagar has led to filing all the present applications by the NDMC.

Mr.N.K.Sahoo and Mr.Dharmender Sharma, counsels for the petitioners, on instructions, jointly submit that the apprehension of the NDMC is unfounded as nobody raised a finger as a fair stand has been taken by the NDMC with a view to accommodate the street vendors on the basis of seniority in the batch of writ petitions.

We have heard learned counsels for the parties.

We see no reason to modify the order dated 17.05.2017 which was passed in the best interest of the street vendors and in a fair and just manner.

All the applications are accordingly disposed of.

We make it clear that passing of this order would not create any right in favour of the other street vendors for being accommodated in the D-Avenue or neighbouring sites or within the market as the order has been passed on the basis of the facts of the present case.

Dasti.

G.S.SISTANI, J

V. KAMESWAR RAO, J

NOVEMBER 20, 2017
rb/

W.P.(C) 11115/2016 etc.

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