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

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Date of Judgment: 2nd March, 2017

+ **W.P. (C) 11562/2016 & C.M. No.45572/2016**

MATA PRASAD

..... Petitioner

Through Mr.N.K. Sahoo, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR

..... Respondents

Through Mr.Sri Harsha Peechara, ASC, NDMC
with Mr.Mananjay K. Mishra &
Ms.Vidhi Jain, Advs. for NDMC.
Mr.Ashish Mohan, Adv. with
Mr.Chetan Rai Wahi, Adv. for
Sarojini Nagar Market Association.
Mr. Sanjeev Singh, Advocate with
Mr. Abhay Singh and Mr. Raghvendra
Pandey, Advocates for GNCTD.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

G.S.SISTANI, J. (ORAL)

1. Petitioner in the present writ petition is in the list of 628 persons who claimed that they have been continuously squatting at different sites in Sarojini Nagar area.

2. During the course of hearing, an offer was made by Mr.Peechara, learned counsel for NDMC that NDMC would consider allotting sites to such persons who were removed in September-October, 2016 and are in the list of 628 persons at Laxmi Bai Nagar.
3. We may note that this Court had made a spot inspection of the area i.e. Laxmi Bai Nagar in the presence of the Standing Counsel, NDMC, Chairman, NDMC, Director (Enforcement) and also some of the lawyers including Mr.Sumit, Mr.Tripathi. Principally, this site found favour with the counsels appearing for the Street Vendors.
4. Today, the petitioner in this petition has given his consent for being allotted a site at Laxmi Bai Nagar. It is agreed between the counsels that the procedures for allotment should be transparent and fair. The allotment will be made as per seniority out of the persons who are in the list of 628 persons and have been removed around September-October, 2016 and also thereafter, at the first instance.
5. Mr.Peechara submits that notices will be sent to all those persons who have been removed out of 628 persons; a seniority list will be prepared; service on those persons will be ensured; and one week's time will be granted to accept the offer, failing which the offer will be given to the next eligible persons. In case all the petitioners in the aforesaid matters are found eligible, they shall be given allotment, subject to the usual norms and terms of NDMC. Leave as prayed is granted to the petitioners to approach

this Court in case they are not found successful and there is any grievance at their end.

6. The writ petitions are accordingly disposed of.
7. Pending applications also stand disposed of.

G. S. SISTANI, J.

VINOD GOEL, J.

MARCH 02, 2017
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