

4
§-3 & 4

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 5784/2017

KIRPAL SINGH & ORS

..... Petitioners

Through

Mr.Dharmender Sharma, Adv. with
Ms.Monika Singh, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL & ORS

..... Respondents

Through

Mr.Sri Harsha Peechara, Standing
Counsel, NDMC with Mr.Mananjay Kr.
Mishra, Ms.Vidhi Jain & Mr.Chetan
Sharma, Advs. for NDMC.
Mr.Devesh Singh, ASC (Civil), GNCTD
with Ms.Neelam Kholiya, Adv. for Delhi
Police.
Mr.Ashish Mohan, Adv. with Mr.Akshit
Mago & Mr.Mohit Kumar, Advs. for
Sarojini Nagar Market Association.

+ W.P.(C) 6355/2017

BHAWANI SINGH

..... Petitioner

Through

Mr.Dharmender Sharma, Adv. with
Ms.Monika Singh, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL (NDMC)& ORS Respondents

Through

Mr.Sri Harsha Peechara, Standing
Counsel, NDMC with Mr.Mananjay Kr.
Mishra, Ms.Vidhi Jain & Mr.Chetan
Sharma, Advs. for NDMC.
Mr.Devesh Singh, ASC (Civil), GNCTD
with Ms.Neelam Kholiya, Adv. for Delhi
Police.
Mr.Ashish Mohan, Adv. with Mr.Akshit
Mago & Mr.Mohit Kumar, Advs. for
Sarojini Nagar Market Association.

Signature Not Verified

Signing Date:16.10.2024 16:52:42
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

06.09.2017

The petitioners claim to be squatting at Sarojini Nagar Market for the past many years. They also submit that their names find mentioned in the list of 628 street vendors, prepared by the NDMC. It is also the case of the petitioners that they have been removed in the month of February, 2016.

Learned counsel for the petitioners submits that at this stage, the petitioners would be satisfied if a direction is issued to the respondent/NDMC to consider the case for allotment as and when the TVC is constituted and is functional, the petitioners would place all the relevant documents in support of their plea before the NDMC/TVC.

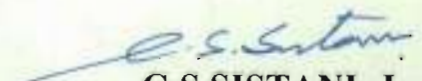
Mr.Peechara, learned Standing counsel for NDMC submits that no doubt, the names of the petitioners find mentioned in the list of 628 street vendors, but the petitioners have not been squatting regularly and had given up their squatting sites. He further submits that the petitioners were not removed in February, 2016 but much prior thereto and thereafter they have stopped carrying out their vending activities and in view thereof, no alternate site can be granted to the petitioners at this stage. However, should the petitioners place all the relevant documents on record, their case would be considered for an alternate site(s) along with all similarly situated persons.

We have heard the learned counsels for the parties. Since a limited prayer has been made in these writ petitions, i.e. for NDMC to consider the case of the petitioners for an alternate site(s) on the basis of supporting documents which the petitioners would file, we dispose of the writ petitions accordingly. The NDMC/TVC would consider the case of the petitioners for an alternate site, as

6

prayed by them, based on the documents which the petitioners may file before it. We make it clear that we have not expressed any opinion on the merits of the matter and this order is being passed without prejudice to the rights and contentions of both the parties.

The writ petitions are disposed of.


G.S.SISTANI, J.


CHANDER SHEKHAR, J.

SEPTEMBER 06, 2017/ka

W.P.(C) 5784/2017 & 6355/2017

2/2