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

+ **W.P.(C) 6788/2017**

AVINASH SINGH

..... Petitioner

Through Ms. Mrinmor Chatterjee, Advocate

versus

GNCTD AND ANR

..... Respondents

Through Mr. Devesh Sigh, ASC for GNCTD with
Ms. Neelam Kholiya, Advocate for R-1
Ms. Pooja Kalra, Advocate for SDMC

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **08.08.2017**

CM No. 28272/2017

1. Exemption allowed subject to all just exceptions.
2. The applications stands disposed of.

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3. The present petition has been filed under Article 226 of the Constitution of India.
4. Prime grievance of the petitioner is that he is not being allotted a regular site by respondent. No.1. Petitioner also claims to be 90% disabled.
5. Learned counsel for the petitioner submits that the petitioner is squatting near the corner of Leela Building, Okhla Phase-III, New Delhi for about 15 years. Learned counsel has drawn the attention of the court to a complaint dated 23.03.2017 made under Rule 42 of the Persons with Disabilities Act, 1996.

6. Learned counsel for respondent No.1 who enters appearance on an advance notice disputes the averments made in the civil writ petition. It is submitted that the petitioner is not a regular squatter. It is further submitted that till the Town Vending Committee (TVC) starts functioning, the relief so prayed cannot be granted.

7. At this stage, the present petition is disposed of with the following directions.

- (i) The petitioner would make an application to the TVC in the prescribed format with supporting documents as and when the TVC is functional;
- (ii) The TVC would consider all the documents in favour of the petitioner while considering the case of the allotment and merely because the petitioner is not found vending at the site, it would not be a ground to reject the case of the petitioner.

8. With these directions, the writ petition is disposed of.

G.S.SISTANI, J

CHANDER SHEKHAR, J

AUGUST 08, 2017

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