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

+ W.P.(C) 8268/2017

SURESH KUMAR AND ORS. Petitioners

Through: Mr. Kartickay Mathur, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION Respondent

Through: Ms. Saroj Bidawat, Adv.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE A.K. CHAWLA

ORDER

% **08.12.2017**

Counsel for the petitioners submits that the petitioners are regular street vendors and have been vending / hawking at their respective sites as detailed in the writ petition. The complaint of the petitioners is that the officials of the respondents are not allowing them to vend in a peaceful manner.

Counsel for the respondent submits that petitioners are vending at a site which has since been declared a “no-hawking”, “no-vending” zone. It is the case of the respondent that petitioners are blocking the free flow of traffic and free movement of pedestrian.

Learned counsel for the petitioners, at this stage, submits that the petitioners would be satisfied if leave is granted to the petitioners to approach the Town Vending Committee (TVC) with all supporting documents as and when it becomes functional to enable the TVC to consider their case in accordance with law and merely because they are not found

vending at the site, that should not be a ground to reject their case.

Learned counsel for the respondent without admitting any of the averments made in the writ petition, submits they have no objection, in case the petitioners approach the TVC as and when it becomes functional and TVC would their case in accordance with law and based on documents produced.

With the following agreed directions, the present petition is disposed of.

- (i) the petitioners would approach the Town Vending Committee with all supporting documents;
- (ii) the TVC would consider the request of the petitioners in accordance with law and merely because they are not found vending at the site that itself would not be a ground to reject their case;

This order is being passed without prejudice to the rights and contentions of the parties and without expressing any opinion on the merits of the matter.

G.S.SISTANI, J

A.K. CHAWLA, J

DECEMBER 08, 2017/jg