

\$~22

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

+ W.P.(C) 9458/2017

MANOJ KUMAR BANJARA

..... Petitioner

Through

Mr. Gyan Prakash, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents

Through

Ms. Reema Khorana, Adv. for R-1.

Mr. Satyakam, Adv. for GNCTD.

**CORAM:**

**HON'BLE MR. JUSTICE G.S.SISTANI**

**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**ORDER**

%

**27.10.2017**

Present writ petition has been filed by the petitioner under Article 226 of the Constitution of India seeking a direction to the respondents not to disturb his peaceful continuation of hawking, vending, squatting or any other similar activities from the vending site situated at PVR Saket Complex, New Delhi. In support of his claim, he has placed copies of challan on record to support his submission. Complaint of the petitioner is that the officials of the respondents are harassing him and not allowing him to earn his livelihood.

Learned counsel for respondent no.1, who enters appearance on advance copy, has drawn attention of the Court to the photographs filed at page 65 of the paper book to show that the petitioner has erected a *Khokha* while the site in question is a no squatting zone. Counsel further submits that as per the norms of SDMC he can be allowed to vend only at an area of 6'x4' open to sky.

Heard counsel for the parties and also perused the present petition. Having regard to the fact that some *pakka* structure has been erected by the petitioner,

we deem it appropriate not to entertain this writ petition at this stage.

Accordingly, petition stands dismissed. However, leave, as prayed, is granted to the petitioner to approach this Court again in case the *Khokha* is removed. All rights and contentions of both the parties are kept open.

C.M. APPL.9458/2017 also stands dismissed.

**G.S.SISTANI, J**

**V. KAMESWAR RAO, J**

**OCTOBER 27, 2017/ck/**  
*W.P.(C) 9458/2017*

*2/2*