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

+ **W.P.(C) 11559/2017**

RAJESH

..... Petitioner

Through: Mr. N.K. Sahoo, Adv.

versus

NDMC & ANR

..... Respondents

Through: Ms. Vertika Sharma, Adv. for R1.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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22.12.2017

CM. No. 47099/2017 (for exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 11559/2017

The complaint of the petitioner is that he has been removed from his squatting site on 15th November, 2017. Mr. Sahoo, counsel for the petitioner submits that the petitioner is a regular street vendor and has been squatting near Shop / Building No. 36-E, Fashion Corner, Bada Golchakkar, Kamala Nagar, Delhi-7 since 1990. He submits that petitioner is only seeking a direction that as and when a Town Vending Committee is constituted, his case should be considered in accordance with law and merely because he is not vending at the site should not be a ground to reject his case.

Counsel enters appearance for the respondent on an advance copy and

disputes each and every submission made in the writ petition. She submits that since the petitioner is vending at a site which has since been declared as a “no-hawking”, “no-vending” zone, he has been removed. However, she submits that she has no objection, in case the petitioner approaches the TVC as and when it becomes functional and TVC would consider his case in accordance with law and based on documents produced.

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

- (i) the petitioner would approach the Town Vending Committee with all supporting documents as and when it becomes functional;
- (ii) the TVC would consider the request of the petitioner in accordance with law and merely because he is not found vending at the site that itself would not be a ground to reject his 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.

Dasti under the signatures of Court Master, as prayed.

G.S.SISTANI, J

V. KAMESWAR RAO, J

DECEMBER 22, 2017/jg