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

+ W.P.(C) 1339/2018

LAXMIBAI NAGAR VENDORS MARKET ASSOCIATION

..... Petitioner

Through: Mr.S.K.Singh and Mr.Ram Singh, Advts.

versus

NEW DELHI MUNICIPAL COUNCIL

..... Respondent

Through: Mr.Vivek Agarwal and Mr.Rajender
Yadav, Advts. for NDMC.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **05.03.2018**

1. The petitioner association has filed the present writ petition seeking various directions including cancellation of the offers made to vendors, who have chosen not to squat in Laxmibai Nagar Vendors' market, a direction in the nature of mandamus directing the respondent/NDMC to make arrangements for advertisement of the market in newspaper, FM Radio and DMRC, replace old fashioned lights, removal of juggis and change of name.
2. Counsel for the respondent has raised a preliminary objection with regard to the maintainability of this writ petition. Counsel has also contended that the present writ petition is pre-mature as the setting up of the market is at the initial stage and steps are being taken, as directed by this Court, for promoting this market in different writ petitions. We are informed that prayer (e) of the writ petition does not survive as the jhuggis from the Laxmi Bai Nagar Market have since been removed.
3. We have heard learned counsels for the parties.
4. We find force in the submissions of the counsel for the respondent that the

present writ petition is pre-mature as the setting up of the market is at the initial stage. This Court has already issued directions for promoting the market; the jhuggis already stand removed and it is for the NDMC to regulate the allotment in accordance with law. In case, the petitioner association has genuine suggestions, it must approach the NDMC at the first instance and in case the representations/suggestions are not considered, the petitioner may seek such remedy as available in accordance with law.

5. With the above directions, the writ petition is disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

MARCH 05, 2018

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W.P.(C) 1339/2018

page 2 of 2