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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1940/2018
RAM CHANDER YADAV Petitioner
Through: Mr. N.K. Sahoo and Mr. S.B. Sahoo, Advs.

versus

NEW DELHI MUNICIPAL COUNCIL Respondent
Through: Mr. Vivek Agarwal, Standing Counsel for
NDMC with Mr. Mananjay Mishra,
Advocate.

CORAM:
HON'BLE MR. JUSTICE G.S.SISTANI
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **28.02.2018**

The petitioner claims to be squatting in front of Oriental Bank of Commerce, A Block, Connaught Place, New Delhi since the year 1999. He submits that he is constantly being harassed by the officer of the respondents.

Mr. Sahoo, counsel for the petitioner submits that since the rules of the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2017 have been notified, the petitioner would approach the Town Vending Committee (TVC) with all supporting documents as and when it becomes functional and Town Vending Committee (TVC) may be directed to consider the case in accordance with law and merely because he may not be found vending at the site in question at the time of survey that should not be a ground alone to reject his case.

Counsel for the respondents who enters appearance on an advance notice, without admitting the averments made in the writ petition submits that if the petitioner approaches the Town Vending Committee (TVC) with all supporting documents, the Town Vending Committee (TVC) would consider his case in accordance with law. Counsel for the respondents further submits that in this case the site was originally allotted to one Sh.Shyam Lal and upon his death, the name of his wife was substituted. However, the petitioner claims that he had purchased the site from its original owner.

We make it clear that we have not expressed any opinion on the merits of the case and this order is being passed without prejudice to the rights and contentions of both the parties.

The present writ petition is disposed of.

Dasti.

G. S. SISTANI, J

SANGITA DHINGRA SEHGAL, J

FEBRUARY 28, 2018
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