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

+ W.P.(C) 3559/2018

AMIT TANDON & ORS

..... Petitioners

Through: Mr Ramesh Kumar Mishra and
Mr Rajnish Kumar Singh, Advs

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through: Mr Ram Kumar, Adv for R-1
Mr Munish Vohra and Mr Harsh Bir
Singh Kohli, Advs for R-2

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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24.09.2018

Nine petitioners have approached this court by filing the present writ petition claiming to be regular street vendors and have been squatting in front of property Nos. 40-UA to 16-UB, Bunglow Road, Jawahar Nagar, New Delhi for the past many years. Mr Mishra, learned counsel for the petitioners, submits that it is only post filing of the writ petition bearing No. 7827/2017 titled as *Bungalow Road Jawahar Nagar Traders Association (Regd.) vs North Delhi Municipal Corporation of Delhi & Ors*, these 9 petitioners were singled out and removed whereas the area continues to be occupied by various other street vendors who are not regular street vendors. He further submits that the question whether the area

in question is a 'no hawking no vending' zone is now only to be decided by the Town Vending Committee (TVC) which is likely to become functional shortly and all matters regarding to the street vendors are to be decided by the TVC. Counsel further submits that in case the respondents are directly or indirectly permitting other street vendors to earn their livelihood, these 9 persons should also not be singled out.

Mr Ram Kumar, learned counsel for the NDMC submits that the area in question is a 'no hawking no vending' zone and the area has been kept encroachment free (which is disputed by Mr Mishra). He submits that the petitioners will not be singled out and a uniform view in the matter would be taken. Mr Mishra also complains that the verandahs have been encroached upon by the shopkeepers. Mr Ram Kumar submits that the area would be inspected and in case there is any encroachment by the shopkeepers, strict action would be taken.

Having regard to the stand taken by the counsel for the NDMC that the area in question is a 'no hawking no vending' zone, no further relief can be granted in favour of the petitioners. Accordingly, the writ petition is dismissed.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 24, 2018
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