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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5138/2018 and CM No. 19938/2018 (stay)

SHYAM LAL AND ORS.

..... Petitioners

Through: Mohd. Faizan, Adv

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents

Through: Mr Mukesh Gupta, SC with Mr S.S. Jain,
Adv for SDMC
Mr Naushad Ahmad Khan, ASC for R-2

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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07.08.2018

The petitioners claim to be regular street vendors and squatting at Kotla Mubarakpur, New Delhi. Fear of dispossession at the hands of the officials of the respondents had led to the filing of the present writ petition.

Counsel for the petitioners submits that since the election of the first Town Vending Committee (TVC) was conducted on 15.07.2018 and the TVC is likely to be formed shortly, they would approach the TVC with all supporting documents as and when it is functional, however, in case the petitioners are not found vending at the site, that may not be a ground alone to reject their case.

Counsel for the respondents, without admitting any of the averments made in the writ petition, has no objection.

Accordingly, the writ petition is disposed of with the following

directions:-

- (iii) The petitioners will approach the TVC as and when it is functional with all supporting documents; and
- (iv) The TVC will consider the case of the petitioners in accordance with law and merely because the petitioners are not found vending at the site at the time of survey, that by itself would not be a ground alone to reject their case.

We make it clear that we have not expressed any opinion on the merits of the case.

The writ petition stands disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

AUGUST 07, 2018
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