

\$~17

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

+ W.P.(C) 6584/2018 & C.M.25123/2018
DARYA GANJ, PATRI, SUNDAY BOOK BAZAR WELFARE
ASSOCIATES & ORS. Petitioners
Through: Mr.Rohit Singh, advocate

versus

GOVERNMENT OF THE NCLT OF DLEHI & ORS. Respondents
Through: Mr.Rishikesh Kumar and Mr.PremSagar
Pal, Advts. for R-1 to R-3.
Ms. Jyoti Taneja, standing counsel for
North DMC.

CORAM:

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

ORDER

%

25.09.2018

The petitioners claim to be regular street vendors and have been participating in the Sunday Book Bazar for the time immemorial. Fear of removal and continuous harassment in the hands of the officials of the respondent has led to the filing of the present writ petition.

Ms.Jyoti Taneja, counsel for the North DMC/respondent submits that she is hopeful that the TVC will be constituted within a week as a statement has been made by the Delhi Government before the Supreme Court of India in the Contempt Petitions (C) no.1214-1215/2018. She further submits that in case of any grievance, the petitioners may approach the TVC as and when it is functional. Counsel for the petitioner submits that the petitioners would approach the TVC with all supporting documents. He seeks a direction to the TVC to consider their case in the light of the documents which may be submitted. He seeks a further direction that, if for any reason, the petitioners

may not find squatting at the time of the survey, that alone should not be a ground to reject their case.

Counsel for the respondents, without admitting any of the averments made in the writ petitions, submit that should the petitioners make an application with all supporting documents before the TVC, the same would be considered in accordance with law and merely because the petitioners are not found squatting, that itself alone would not be a ground to reject the case of the petitioners.

Accordingly, the writ petitions are disposed of with the following agreed directions:

- (i) The petitioners will approach the TVC as and when it is functional with all supporting documents; and
- (ii) 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.

With the above directions, the writ petition stands disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 25, 2018

rb/