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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6907/2018

RAMZAN ALI

..... Petitioner

Through: Mr.N.K. Sahoo and Mr.S.B. Sahoo, Advs.

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR. Respondents

Through: Mr. Sri Harsha Peechara, Standing Counsel with
Mr.Aditya Vikram Singh, Ms.Vidhi Jain and
Ms.Gauri P. Desai, Advocates for NDMC.
Ms.Tara Narula, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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06.07.2018

W.P.(C) 6907/2018 and CM No. 26192/2018

The petitioner claims to be squatting outside Gate No. 1, All India Institute of Medical Sciences, Aurobind Marg, New Delhi. Mr Sahoo, learned counsel for the petitioner, has placed reliance on challans filed at pages 22 to 35 of the paper book in support of his submission that the petitioner is a regular squatter. Mr Sahoo submits that although the petitioner did not apply in the 2007 Scheme but having regard to the documents in his possession, the Town Vending Committee (TVC) should consider his case for allotment of a regular site.

Mr Peechara, learned counsel for the respondent, who enters appearance on an advance copy, submits that the challans placed on record primarily pertain to the year 2015 onwards. He submits that should the petitioner approach the TVC, the TVC would consider the case of the petitioner in accordance with law provided the relevant documents are filed and verified.

We have heard the learned counsel for the parties and dispose of the writ petition on the following agreed terms:-

1. The petitioner will approach the TVC as and when it is constituted.
2. The TVC will consider the case of the petitioner based on documents.
3. Merely because the petitioner may not be found squatting would not be a ground alone to reject his case.

Accordingly, the writ petition is disposed of. However, we make it clear that we have not expressed any opinion on the final merits of the case. The writ petition and CM No. 26192/2018 are disposed of.

Dasti.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

JULY 06, 2018
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