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

+ W.P.(C) 3969/2017

ZAYDA BEGUM

..... Petitioner

Through: Mr.J.N. Patel and Mr.Tripta Kanojia, Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents

Through: Mr.Vijay Chandra Joshi, Standing Counsel
for R-1 & 2/SDMC.

Ms.Saumya Tandon, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

09.07.2018

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This is a petition under Article 226 of the Constitution of India filed by the petitioner. The petitioner claims to be a regular street vendor and claims to be vending at P.S.R.I. Hospital, Bus Stand Near Sattpulla Lake, Press Enclave Road, New Delhi since the year 2000. Sample challans have been placed on record. It is the case of the petitioner that she was forcibly dispossessed in the month of February 2017. However, she continues to squat thereafter.

Counsel for the petitioner submits that the rules of the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2017 have been notified on 10.01.2018. He further submits that the election for the constitution of the first Town Vending Committee has been announced and fixed for 15.07.2018. He further submits that the petitioner would make an appropriate application along with supporting documents

before TVC as and when it becomes functional to consider the case of the petitioner.

Counsel for the respondent without admitting any of the averments made in the writ petition does not oppose the prayer so made.

We have heard the learned counsels for the parties.

The writ petition is disposed of 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 in accordance with law after taking into consideration all the material placed on record.
3. Merely because the petitioner may not be found vending at the spot at the time of survey that would not be a ground alone to reject her case.

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 writ petition is disposed of.

G. S. SISTANI, J

SANGITA DHINGRA SEHGAL, J

JULY 09, 2018
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