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

+ **W.P.(C) 4532/2017**

AJAY KUMAR & ORS. Petitioners
Through: Mr.Dinesh S.Badiar, Ms.Kumari Rashmi
Rani, Ms.Rashi Jaiswal and Mr.Vipin
Kumar Jai, Advts.
versus

NORTH DELHI MUNICIPAL CORPORATION & ORS Respondents
Through: Mr.Mukesh Gupta, standing counsel for
North DMC with Ms.Shashi Gupta and
Ms.Nupur Manttu, Advts.

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

% **ORDER**
05.03.2018

Counsel for the petitioners submits that the petitioners have been squatting at different places as mentioned in the Memo of Parties, the details of which are given below:

Sl. No.	Name of the Petitioners	Place of Squatting
1.	Ajay Kumar	Jamna Bazar, Hanuman Mandir, Kathakunj Park, Ander wali Gate Ke Pass, Fruits (Bananas), Delhi- 06.
2.	Kartar Singh	Lal Qila Main Gate, Near Traffic Police Booth, Red Light, Delhi-06
3.	Shambhu Shah	Lal Qila Main Gate, Near Traffic Police Booth, Red Light, Delhi-06
4.	Rajender Kumar	Lal Qila Main Gate, Near Traffic Police Booth, Red Light, Delhi-06
5.	Rajeshwar Chaudhary	Shop No.1655, Front S.P.Mukherjee Marg, Near Novelty Cinema, Old Delhi Railway

		Station, Delhi – 06.
6.	Sundeshwari Chaudhary	Near Royal Hotel, Parking Gate No.18, S.P.Mukherjee Marg, New Old Delhi Railway Station, Delhi – 06.
7.	Ramesh Chaudhary	Main Gate Lal Qila, Near D.T.C. Bus Stop, Delhi – 06.
8.	Rishi Kumar	Lal Qila Main Gate, Opp. Digambar Jain Mandir, Delhi – 06.
9.	Rajesh	Lal Qila Main Gate, Opp. Digambar Jain Mandir, Delhi – 06.

Counsel for the petitioners submits that since the officials of the respondents have been disturbing the possession of the petitioners, they have approached this Court.

Mr.Gupta, counsel for the respondent/North DMC submits that the petitioners are unauthorised street vendors and are obstructing free flow of traffic and free movement of pedestrians and thus, cannot be allowed to vend.

Counsel for the petitioners, at this stage, submits that the petitioners would be satisfied if leave is granted to them to approach the Town Vending Committee (TVC) as and when it is constituted. Petitioners seek a direction to the TVC to consider the case of the petitioners in accordance with law and merely because they may not be found vending at the spot at the time of survey, should not be a ground to reject their case.

Counsel for the respondent/North DMC without admitting any of the averments made in the writ petition submits that in case the petitioners approach the TVC as and when it is constituted with all supporting documents, the case of the petitioners would be considered in accordance with law and merely because they are not found vending at the spot at the time of survey, that would not be a ground to reject their case.

Binding the parties to the statements made in Court, the writ petition is disposed of, as prayed.

We make it clear that we have not expressed any opinion on the merits of the matter and this order is being passed without prejudice to the rights and contentions of both the parties.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

MARCH 05, 2018
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