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

+ **W.P.(C) 3764/2017 & CM APPL. 16558/2017**

SANJAY KUMAR JAISWAL Petitioner
Through Mr. Gyan Prakash with Ms. Neeraj,
Adv.
versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR

Through Mr. Shefali Volna, Adv for R2, SHO Respondents
Mehrauli/GNCTD.
Ms. Shobhna Gutpa, Mr. Siddharth Jha,
Mr.Sidharth Banerji, Adv for SDMC.

+ **W.P.(C) 3774/2017 & CM APPL. 16597/2017**

RAM VILASH JAISWAL Petitioner
Through Mr. Gyan Prakash with Ms. Neeraj, Adv.
versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR Respondents

Through Ms. Mrinalini Sen with Mr. Sharatjit Banerji,
Adv.
Mr. Virender Pratap Singh Charak &
Ms.Subhra Parashar, Adv for SDMC.

+ **W.P.(C) 3812/2017 & CM APPL. 16767/2017**

DILIP CHOUDHARY & ANR Petitioners
Through Mr. Gyan Prakash with Ms. Neeraj, Adv.
versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR Respondents

Through Mr. Sunil Goel, Standing Counsel with
Mr.Mayank Goel, Mr. Supreet Bimbira, Adv
for SDMC/R-1.

+ **W.P.(C) 3815/2017 & CM APPL. 16772/2017**

NARAYAN CHOUDHARY Petitioner
Through Mr. Gyan Prakash with Ms. Neeraj, Adv.
versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR Respondents

Through Mr. Anuj Aggarwal, ASC, GNCTD for R-2.

+ **W.P.(C) 3862/2017 CM APPL. 16970/2017**

JAI KUMAR CHAUDHARY

..... Petitioner

Through

Mr. Gyan Prakash with Ms. Neeraj,
Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION
& ANR

..... Respondents

Through

+ **W.P.(C) 4539/2017 & CM APPL. 19806/2017**

ARVIND KUMAR YADAV AND ANR

..... Petitioners

Through

Mr. Gyan Prakash with Ms. Neeraj,
Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION
AND ANR

..... Respondents

Through

Ms. Urvi Mohan, Adv for Mr. Sanjoy
Ghose, ASC, GNCTD with Mr.
Shwetank Singh, Adv.
Mr. Mukesh Gupta, Standing Counsel
with Ms. Shashi Gupta, Adv for SDMC.
Mr. Karam Singh, Adv for SDM.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

25.05.2018

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Petitioners claim to be squatting at the Mehrauli area. The main grievance of the learned counsel for the petitioners is that the petitioners are being singled out whereas the area is full of street vendors. Learned counsels appearing for the MCD, submit that the area is primarily a 'no hawking no vending zone', it is a highly congested area and the petitioners cannot be allowed to hawk and vend as it causes obstruction to free movement of traffic and pedestrians.

Counsel for the MCD disputes the submission made by the counsel for the petitioners that the petitioners are being singled out. Mr.Gupta submits that uniform action for removal of encroachers and unauthorized street vendors is

taken at regular intervals. At this stage, counsel for the petitioners submits that the petitioners shall approach the TVC as and when it is constituted and merely because the petitioners may not be found vending at the site should not be a ground to reject their case. Counsel for the respondents submits that without admitting any of the averments made in the writ petition, should the petitioners approach the TVC as and when it is functional, the TVC would consider the case of the petitioners in accordance with law and merely because the petitioners may not be found vending at the time of survey would not be a ground alone to reject their case.

Binding the parties to the stand taken in Court today, as agreed, the writ petitions are disposed of.

We make it clear that we have not expressed any opinion on the merit of the matter.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

MAY 25, 2018

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