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

+ W.P.(C) 12038/2018

MOHD. YAMEEN AND ORS.

..... Petitioners

Through Ms.Someya Singh, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents

Through Ms.Jyoti Taneja, Standing counsel for
NDMC.
Mr.Shlok Chandra, Adv. With Mr.Ritesh
Kr. Sharma, Adv. for R-2 with SHO PS
Hauz Quazi.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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14.11.2018

The petitioners claim themselves to be regular street vendors and are vending at Hauz Quazi area for the past many years. Fear of dispossession has led to the filing of present writ petition. Counsel further submits that the petitioners are facing harassment at the hands of the local police.

Counsel submits that since the TVC has now been constituted, the petitioners would approach the TVC with all supporting documents and in case at the time of survey, they are not found vending, that alone should not be a ground to reject their case.

Ms. Taneja, learned counsel appearing for the NDMC, submits that the petitioners are illegally occupying public land. Learned counsel without admitting any of the averments made in the writ petition, submits that in case 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 their case.

Accordingly, the writ petition is disposed of with the following agreed directions:

- (i) The petitioners will approach the TVC 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.

The writ petition stands disposed of in above terms.

Dasti.

G.S.SISTANI, J

JYOTI SINGH, J

NOVEMBER 14, 2018
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