

\$~6

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9046/2017**

MOHAN LAL Petitioner
Through: Mr. N. K. Sahoo, Advocate.

versus

NEW DELHI MUNICIPAL COUNCIL AND ANR. ..Respondents
Through: Mr. Vivek Aggarwal, Standing Counsel
with Mr. Rajender Yadav and Mr. Rhea
Verma, ASC for NDMC.
Mr. Ravi Chaturvedi and Ms. Renu
Chauhan, Advocates for Delhi Police.

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

ORDER
08.01.2018

%

1. Counter affidavit has been filed by the respondents.
2. With the consent of the parties, the present writ petition is set down for final hearing and disposal.
3. Petitioner claims to be a regular street vendor. He claims that he has been allotted space in front of shop No. 120, Sarojini Nagar, Market, Sarojini Nagar, New Delhi and he was carrying out business of readymade garments. It is also case of the petitioner that his name finds mentioned in the list of 628 street vendors prepared by the NDMC. Learned counsel for the petitioner submits that the petitioner has been removed and is not being allowed to vend despite the fact that he is a regular street vendor.
4. Counter affidavit has been filed by the respondent No. 1 as per which, the petitioner is not squatting either in front of shop No.

120-B Sarojini Nagar Market or 282, 166 Babu Market, Sarojini Nagar Market. However, it is not disputed that the name of the petitioner finds mention in the list of 628 street vendors prepared by the NDMC in the year 2012. Learned counsel further submits that the petitioner is not a regular street vendor and he cannot be allowed to vend at the site mentioned in the writ petition as it would block the free movement of the pedestrian and free flow of the traffic.

5. At this stage, learned counsel for the petitioner is willing to accept the alternate site at Laxmi Bai Nagar Market.
6. The matter was passed over once to enable the counsels to take instructions. At the second call, learned counsel for the respondent submits that the petitioner can be accommodated at Laxmi Bai Nagar on his furnishing the requisite documents within a period of two weeks from today.
7. In view of the stand taken by the learned counsel for the parties and the fact that the name of the petitioner appears in the list of 628 street vendors prepared by the NDMC, he is entitled to an alternate site as jointly agreed by the parties.
8. The present petition is disposed of in above terms.
9. Copy of the order be given dasti, as prayed.

G. S. SISTANI, J

SANGITA DHINGRA SEHGAL, J

JANUARY 08, 2018 / gr