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

+ W.P.(C) 9489/2017 & CM No.38593/2017

RAJESH KUMAR YADAV Petitioner
Through: Mr.Gyan Prakash, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents
Through: Ms.Puja Kalra, Advocate for
respondent no.1/SDMC.
Ms.Prabhsahay Kaur, Advocate for
respondent/GNCTD.

+ W.P.(C) 9518/2017 & CM No.38723/2017

NANKU Petitioner
Through: Mr.Gyan Prakash, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents
Through: Ms.Puja Kalra, Advocate for
respondent no.1/SDMC.

+ W.P.(C) 9526/2017 & CM No.38733/2017

MADAN KUMAR Petitioner
Through: Mr.Gyan Prakash, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents
Through: Ms.Puja Kalra, Advocate for

respondent no.1/SDMC.
Ms.Prabhsahay Kaur, Advocate for
respondent/GNCTD.

+ W.P.(C) 9560/2017 & CM No.38896/2017

BRAHAM PRAKASH Petitioner
Through: Mr.Gyan Prakash, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents
Through: Ms.Puja Kalra, Advocate for
respondent no.1/SDMC.
Mr.Jamal Akhtar, counsel for
respondent no.2/GNCTD.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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15.05.2018

Four petitioners have filed the present writ petitions seeking directions to the respondents 'not to disturb their possession'. Counsel for the petitioners submits that the petitioners are vending at PVR Complex opposite Building No.27, Saket, New Delhi.

Counsel for the respondent no.1 submits that the petitioners are squatting in 'no hawking' and 'no vending' zone, thus, they could not be allowed to carry out their vending activities.

At this stage, counsel for the petitioners submits that the petitioners would be satisfied if leave is granted to the petitioners to approach TVC as and when it is constituted. He seeks a direction to the TVC to consider the

case of the petitioners in accordance with law and merely because petitioners may not be found vending at the spot at the time of the survey, should not be a ground to reject their case.

However, Counsel for respondent no.1 submits that without admitting any of the averments made in the writ petitions, 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.

The writ petition and pending applications are disposed of.

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

MAY 15, 2018
ssc

W.P.(C) 9489/2017 etc.

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