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

+ W.P.(C) 9874/2017

KISHOR SAH

..... Petitioner

Through Mr. Anand Shailani, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR

..... Respondents

Through Ms. Arunima Dwivedi with Ms. Preeti
Kumra, Advocates for SDMC.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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13.04.2018

Counsel for the petitioner submits that the petitioner has been vending at Service Road, Behind South Moti Bagh Bus Stand, South Moti Bagh, New Delhi since the year 1995 and is selling snacks, packaged drinking water etc. On account of harassment being faced by him by the officials of the respondent has led to the filing of the present writ petition. Counsel submits that since fresh rules of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules 2017 have been notified and also the election of the TVC is likely to be conducted shortly, the present writ petition may be disposed of with a direction to the TVC to consider the case of the petitioner as and when it is constituted in accordance with law and merely because he may not be found vending at the spot at the time of the survey, should not be a ground to reject his case.

Counsel for the respondent without admitting any of the averments made

in the writ petition submits that in case the petitioner approaches the TVC as and when it is constituted with all supporting documents, the case of the petitioner would be considered in accordance with law and merely because he is not found vending at the spot at the time of survey, that would not be a ground to reject his case.

In view of the above, the writ petition is disposed of.

We make it clear that we have not expressed any opinion on the merits of the case 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

APRIL 13, 2018/ck/

W.P.(C) 9874/2017

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