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

+ W.P.(C) 10188/2017

YUGAL KISHORE

..... Petitioner

Through Mr. Sanjay Baniwal, proxy counsel for
Mr. Kamlesh Kumar Mishra, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS.

..... Respondents

Through Ms. Reema Khorana with Mr. Kartik
Rathi, Advocates for SDMC.
Ms. Shobhana Takiar with Mr. Udayan
Khandelwal, Advocates for DDA.
SI Pankaj Dhatarwal, P.S. Vasant Kunj

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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02.07.2018

This is a petition under Article 226 of the Constitution of India filed by the petitioner, who claims to be a regular street vendor and has been vending near the vacant land, C-9, Gate no.10, near Taxi Stand, Vasant Kunj, New Delhi, for the past many decades. It is also claimed that he had made an application in the month of August, 2017 and he was issued a hawking licence by the SDMC bearing no.HTLSZ0522702, which was valid till 31.03.2018. It is the complaint of the petitioner that the staff of the MCD is threatening to remove him.

Counsel for the respondent submits that the petitioner is not a regular street vendor and not even a single document has been placed on record to show that the petitioner has been vending at the site in question. It is further submitted that the Health Trade License has since expired and not even renewed. Counsel

further submits that even otherwise, the license is not for vending purpose.

We have heard learned counsel for the parties.

In the absence of any document on record to show that the petitioner is a regular street vendor, no relief can be granted to him. Needless to say that the petitioner can approach the Town Vending Committee (TVC) as and when it is functional and TVC would consider the request of the petitioner unaffected by any of the observations made by us in the order passed today.

In aforesaid terms, the writ petition stands disposed of.

CM APPL 41605/2017 (stay)

The application stands disposed of in view of the order passed in the writ petition.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

JULY 02, 2018/ck/