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

+ W.P.(C) 11529/2017

DAYARAM AND ANR.

..... Petitioners

Through Mr. Mukesh Sachdeva, Advocate

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents

Through Mr. Mrinal Kumar Sharma, Advocate for
Mr. Brijesh Singhal, Advocate for
respondent no.1.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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10.07.2018

This is a petition filed under Article 226 of the Constitution of India by the petitioners. The petitioners claim to be vending at site no.15A/43, WEA, Ajmal Khan Road, Karol Bagh, New Delhi. Fear of dispossession of the petitioners has led to the filing of this writ petition.

Copies of challans have been placed on record by the petitioners. Counsel for the petitioners submits that since the date for conducting elections have been announced for formation of the first Town Vending Committee(TVC), he would approach the TVC as and when it is functional and, if for any reason, the petitioners are not found squatting, that alone should not be a ground to reject their case.

Counsel for the respondent, without admitting any of the averments made in the writ petition, submits that should 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 the case of the petitioners.

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

- (i) The petitioners will approach the TVC as and when it is functional 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.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

JULY 10, 2018

pst/
W.P.(C) 11529/2017