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

+ W.P.(C) 11200/2019, C.M. APPLs.46084-46085/2019

SMT CHANCHAL SACHDEVA Petitioner

Through: Ms. Monika Sharma, Advocate

versus

NEW DELHI MUNICIPAL COUNCIL (NDMC) Respondent

Through: Mr. Harsh Peechara, ASC with Mr.
Ashish Tiwari, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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22.10.2019

1. The petitioner seeks a direction to the respondent/NDMC to transfer the vending site in front of shop No.196, Sarojini Nagar Market in her favour upon the death of her husband on 10.07.2018.
2. Learned counsel for the petitioner states that the petitioner's husband had applied to the respondent/NDMC on 13.12.2007, for allotment of a vending site under the 2007 Scheme. Unfortunately, the petitioner's husband expired on 10.07.2018. On 24.08.2018, the petitioner submitted a representation to the respondent/NDMC praying *inter alia* that her name be substituted in place of her deceased husband/Sh. Sunder Shyam Sachdeva in respect of the vending site. But, despite repeated representations made by the petitioner, the respondent/NDMC has not taken any decision. A copy of the representation dated 24.08.2018, has been enclosed with the present petition and marked as Annexure P-3.

3. Mr. Peechara, learned Additional Standing Counsel appearing for the respondent/NDMC, who appears on advance notice, states that the petitioner has not filed any document to demonstrate that her husband was lawfully entitled to squat at the vending site in question nor has any challan been filed alongwith the present petition. He states that even otherwise, no person by the name of Sunder Shyam Sachdeva was ever found squatting in front of shop No.196, Sarojini Nagar Market.

4. We have enquired from learned counsel for the petitioner if any documents were filed in support of the representation dated 24.08.2018. She states that she is not in a position to make any submission in this regard.

5. The petitioner is permitted to file a substantive representation alongwith all the relevant documents in support of her plea that her husband had been permitted by the respondent/NDMC to squat at the site in question. Needful shall be done within four weeks from today. Upon receiving such a representation, the respondent/NDMC shall consider the same in the light of the documents, if any, enclosed therewith and pass a speaking order within four weeks therefrom, under written intimation to the petitioner and/or her counsel.

6. The present petition is disposed of alongwith the pending applications.

HIMA KOHLI, J

ASHA MENON, J

OCTOBER 22, 2019/s