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

+ W.P.(C) 464/2019

ANIL JAIN

..... Petitioner

Through: Ms. Jigyasa Rathi, Advocate.

versus

EAST DELHI MUNICIPAL CORPORATION (EDMC) & ANR

..... Respondents

Through: Mr. Vidit Gupta, Advocate for
respondent No. 1.

Mr. Amish Dabas, Advocate for
respondent No. 2.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **13.02.2019**

The petitioner claims to be a regular street vendor and is selling tea and food at MCD Stall No. 7, Satnam Road, Jheel Khuranja, Gandhi Nagar, East Delhi. Fear of dispossession at the hands of the respondent has led to the filing of the present writ petition.

Counsel for the respondent submits that the petitioner is not a regular street vendor, moreover, the petitioner cannot be permitted to cook in the open. Additionally, learned counsel for respondent submits that at least two of the receipts do not correctly mention the parentage of the petitioner. However, learned counsel for petitioner submits that she has various receipts in her possession, some of which have been filed including the receipt of the year 2014 where the name has been correctly mentioned and additionally a receipt of the year 2019.

Learned counsel for the respondent submits that since the Town

Vending Committee (TVC) has been constituted, the petitioner would approach the TVC with all supporting documents. Learned counsel for the respondent without admitting any of the averments made in the writ petition submits that should the petitioner approach the TVC with all supporting documents, the TVC will consider the case of the petitioner in accordance with law.

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

- (i) The petitioner will approach the TVC with all supporting documents; and
- (ii) The TVC will consider the case of the petitioner in accordance with law and merely because the petitioner is not found vending at the site at the time of survey, that by itself would not be a ground alone to reject his case.

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

We make it clear that we have not expressed any opinion on the merits of the matter. We make it clear that respondents will not take selective action in the matter and the petitioner will not be singled out.

Dasti under signatures of the Court Master.

G.S.SISTANI, J

JYOTI SINGH, J

FEBRUARY 13, 2019/komal