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

+ **W.P.(C) 838/2019**

DINESH

..... Petitioner

Through **Mr. N.K. Sahoo, Advocate**

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents

Through **Mr. Vidit Gupta, Advocate for
Respondent no.1/NDMC**

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% 25.01.2019

This is a petition filed under Article 226 of the Constitution of India by the petitioner. The petitioner claims to be a regular street vendor squatting in front of Shop/Building no.8-G, Ankur Collection, Spark Mall, Bada Gol Chakar, Kamala Nagar, Delhi. The petitioner claims to be selling ladies slippers & readymade garments from the place of squatting

Mr. Sahoo, learned counsel for the petitioner submits that since the Town Vending Committee(TVC) has been constituted, the petitioner would approach the TVC with all supporting documents and, if for any reason, the petitioner is not found squatting at the time of survey, that alone 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 should the petitioner make an application with all supporting documents before the TVC, the same would be considered in accordance with law and merely because the petitioner is not found squatting, that itself alone would not be a ground to reject the case of the petitioner.

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

- (iii) The petitioner will approach the TVC with all supporting documents; and
- (iv) 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.

The writ petition stands disposed of in above terms.

CM.APPL 3796/2019 also stands disposed of.

Dasti.

G.S.SISTANI, J

JYOTI SINGH, J

JANUARY 25, 2019

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