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

+ W.P.(C) 844/2019 & CM APPL. 3827/2019

RAM BAKSH GUPTA

..... Petitioner

Through: Mr. N.K. Sahoo and Mr. S.B. Sahoo,
Advocates

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents

Through: Ms. Jyoti Taneja, Standing Counsel
for Respondent no.1/NDMC

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **29.01.2019**

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 peacefully near Shop/Building no. E-111 & E-112, Near Spark Mall, in front of Main Gate Bada Gole Chakar, Kamla Nagar, P.S. Roop Nagar, Delhi since 1985. The petitioner claims to be selling ladies purse and Mehendi from the place of squatting.

Mr. Sahoo, learned counsel for the petitioner submits that fear of dispossession has forced him to approach the court and file the present writ petition. He, however, 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.

Ms. Taneja, learned counsel for respondent no.1 appears on an advance copy, without admitting any of the averments made in the writ petition, in case petition approaches the TVC, the TVC will consider this case 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.

The writ petition stands disposed of in above terms.

CM.APPL 3827/2019 also stands disposed of.

Dasti.

G.S.SISTANI, J

JYOTI SINGH, J

JANUARY 29, 2019

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