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

+ W.P.(C) 8644/2019, C.M. Appl. No. 35728/2019 (Stay)

VEER BHADRA MOURYA AND ORS. Petitioners

Through: Mr. Ramesh Mishra, Ms. Mkithilesh
Kumar Jaiswal, Advocates

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondent

Through: Ms. Mini Pushkarna, Standing
Counsel for North DMC with Ms.
Shiva Pandey, Ms. Khushboo Nagar,
Ms. Swagata Bhuyan, Advocates
Ms. Barnali Basak, Advocate for
respondent No. 2/Govt. Of NCT of
Delhi.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **12.12.2019**

1. Notice could not be issued to the respondents as the process fee was not filed.

2. Ms. Pushkarna, learned counsel for the respondent/Nr.DMC states that the counter affidavit is ready, the same is being handed over to counsel for the petitioner. She adds that the petitioners had already been removed from Ajmal Khan Road, Karol Bagh, on 27.07.2019, which position is not disputed by them, as per the averments made in para 1 of the writ petition.

3. A perusal of the paper book reveals that none of the six petitioners have taken the pains of making any representation to the respondent No. 1/Nr.DMC for seeking relief before approaching this court by filing the present petition.

4. Mr. Mishra, learned counsel for the petitioners states that the respondent No. 1/Nr.DMC has been regularly relocating similarly placed vendors as the petitioners herein from the different sites at Ajmal Khan Road, Karol Bagh to other feasible sites.

5. If that is the case, then the petitioners are at liberty to submit a representation in that regard to respondent No. 1/Nr.DMC and immediately on such a representation being received, Nr.DMC shall consider the same and pass a speaking order under intimation to the counsel for the petitioners. If aggrieved by the decision taken, the petitioners shall be entitled to seek legal recourse as may be available to her. In the event the respondent No. 1/Nr.DMC proposes to relocate the petitioners to alternate sites, then dated site plans indicating the exact sites where they are proposed to be relocated shall be communicated to the petitioners alongwith the plans.

6. The petition is disposed of.

7. A copy of this order be given **DASTI** to the parties under signatures of the Court Master.

HIMA KOHLI, J

ASHA MENON, J

DECEMBER 12, 2019

pkb

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