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

% *Date of Decision: 28th July, 2020*

+ W.P.(C) 4609/2020

RADHA DEVI

..... Petitioner

Through: Mr.Amit Chauhan, Adv.

Versus

GOVERNMENT OF NATIONAL CAPITAL

TERRITORY OF DELHI, THROUGH:

ITS PRINCIPAL SECRETARY & ORS.

..... Respondents

Through: Mr.Anjum Javed, ASC for R-1,4&5.

Ms.Puja Kalra, Adv. for SDMC.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D. N. Patel, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

C.Ms.No.16666-67/2020 (exemptions)

Exemptions allowed, subject to all just exceptions.

The applications are disposed of.

W.P.(C) No.4609/2020 & C.M.No.16665/2020 (stay)

1. This public interest litigation has been preferred with the following prayers:-

“I. That the Petitioner be allowed to represent the residents of the Main Sagarpur, Delhi for this public cause and interest and prefer the present petition as Public Interest Litigation in the interest of justice and equity.

II. That after kind perusal of the facts and circumstances. This Hon'ble may be pleased to grant the following relief(s):-

- a. To issue an appropriate writ, order or direction, directing the Respondents to immediately take the necessary action against the wrong-doers and ensure that the running of illegal vegetables and fruits markets by the hawkers in the non-hawking zone i.e. in the residential area of Main Sagarpur, Delhi be banned/stopped forthwith and all the hawker's shops operational in Main Sagarpur residential area be removed forthwith.
 - b. To issue an appropriate writ, order or direction, directing the Respondents to take stern action against the officials of their concerned Departments who are indulged in this bad practices and letting the illegal act happen under their noses.
 - c. To issue an appropriate writ, order or direction, directing the Respondent No.1 - the Government of NCT of Delhi to set up an alternative monitoring Committee to ensure that such illegal act is not repeated in the future.
 - d. Pass any other appropriate writ, order or direction to which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.
- III. It is further prayed before this Hon'ble Court that if this Hon'ble Court is not pleased to entertain the present Public Interest Litigation in this form than considering the seriousness of the matter in view of the evidences supplied in support, this Hon'ble Court may kindly take *suo moto* necessary actions.”

2. Learned counsel appearing for the petitioner submitted that it will suffice for the disposal of the writ petition, if the concerned respondent authorities are directed to dispose of the representation preferred by the

petitioner.

3. We, accordingly, direct that the representation dated 23rd June, 2020 preferred by the petitioner which is at Annexure P-3 of the memo of this writ petition, be decided by the concerned respondent authorities in accordance with law, rules, regulations and Government policies applicable to the facts of the present case, as expeditiously as possible and practicable.

4. With these observations, this writ petition is disposed of along with the pending application.

CHIEF JUSTICE

PRATEEK JALAN, J

JULY 28, 2020

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