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

+ W.P.(C) 7760/2019 and CM APPL. 32265/2019

ARUN KUMAR

..... Petitioner

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

versus

NORTH DELHI MUNICIPAL CORPORATION THROUGH:
COMMISSIONER & ANR

..... Respondents

Through: Ms. Jyoti Taneja, Standing Counsel,
Nr.DMC.

Mr. Jamal Akhtar, Panel Counsel, GNCTD.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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20.01.2020

1. The petitioner has filed the present petition praying *inter alia* that the respondent No.1/Nr.DMC be directed not to disturb him from squatting in front of shop/Building No.1, UB, Jawahar Nagar, Bunglow Road, Kamla Nagar, PS Roop Nagar, Delhi, till a survey is conducted by the concerned Town Vending Committee under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

2. A Status Report has been filed on behalf of the respondent No.1/Nr.DMC. Ms. Jyoti Taneja, learned counsel for the respondent No.1/Nr.DMC submits that the site in question is a no-squatting area and therefore, the petitioner cannot be permitted to vend at the said site. She

states that only five stretches mentioned at Sr.No.67 to 71 of the list of squatting areas falling under the Civil Lines Zone, as enclosed with the Status Report, have been declared as squatting areas in the Kamla Nagar Ward and besides the said areas, all other areas are no-squatting areas in the Keshav Puram Zone. She further states that the Nr.DMC has taken Kamla Nagar as a pilot project for redevelopment of the area for parking management and a number of remedial steps are being taken in that direction under the supervision of the Supreme Court in “M.C. Mehta vs. UOI” [W.P.(C) 13029/1985].

3. At this stage, learned counsel for the petitioner states that the issue raised in the present petition ought to be decided by the TVC. If that is so, then the petitioner ought not to have filed the present petition and ought to have approached the TVC. Be that as it may. As learned counsel for the petitioner states that he does not wish to press this petition but reserves the right of his client to approach the TVC, the present petition is disposed of with liberty granted to the petitioner as prayed for, alongwith the pending application.

HIMA KOHLI, J

ASHA MENON, J

JANUARY 20, 2020

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