

CWP-5230-2021 (O&M)

Date of Decision: January 27, 2023

Didar Singh

.....Petitioner

Versus

State of U.T. and others

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Nitin Sachdeva, Advocate for the petitioner.

Mr. Parminder S. Kaul, Advocate for
Mr. Sanjiv Ghai, Advocate for the respondents.

LISA GILL, J.

Prayer in this writ petition is for directing the respondents to change the site allocated to the petitioner, a street vendor, from Sector 15 to Sector 22B, Chandigarh on compassionate grounds as the petitioner is stated to be 100% physically handicapped (blind).

It is submitted that pursuant to order dated 08.12.2022 passed in this writ petition by a Co-ordinate Bench, the matter was considered by the Commissioner, Municipal Corporation, Chandigarh and speaking order dated 09.01.2023 has been passed, whereby on purely humanitarian and compassionate ground, request of the petitioner has been accepted, subject to approval by the Town Vending Committee. It is mentioned therein that this order shall not be treated as precedent for future cases. Relevant part of order dated 09.01.2023 reads as under:-

“ In view of the above factual and legal position as per the provisions of Street Vendor Act, 2014, Rules 2015, Scheme 2016 and Bye-Laws 2018 and in view of the minutes of 30th meeting of TVC held on 10.03.2021, the Site No. 87 in vending zone Sector 22, Chandigarh is hereby allotted to Sh. Didar Singh S/o Gurmail Singh, H.No. 1238, Sector 22-B, Chandigarh and the said allotment shall be subject to approval of Town Vending Committee. It is, hereby, clarified that the said order is purely passed on humanitarian and compassionate ground considering the observation made by the Hon’ble High Court in its order dated 08.12.2022 and the same shall not be treated as any precedent for future cases.”

Copy of order dated 09.01.2023 produced in Court today, is taken on record subject to just exceptions.

Learned counsel for the petitioner submits that in view of order dated 09.01.2023 and communication dated 24.01.2023 received by the petitioner, this writ petition is rendered infructuous.

Present petition is, accordingly, disposed of as infructuous. Needless to say, the present shall not be treated to be a precedent.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

January 27, 2023

rts

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No