

#S-30

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 08.05.2023

W.P.(C) 5950/2023 & CM APPL. 23361/2023 (for direction)

SUKHDEV

versus

GOVT. OF NCT OF DELHI & ORS.

Advocates who appeared in this case:

For the Petitioner : Mr. Ram Narayan Singh, Advocate.

For the Respondents : Mr. Abhinav Garg, Panel Counsel, GNCTD along with Mr. Mihir Gujjewar and Mr. Arjun Narang, Advocates for R-1 & R-3.
Mr. Sri Harsha Peechara, ASC along with Ms. Harshita Gupta, Advocate for R-2/NDMC.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

JUDGMENT

SIDDHARTH MRIDUL, J. (OPEN COURT)

1. The present writ petition under Article 226 of the Constitution of India, has been instituted on behalf of the petitioner, praying as follows:-

“A. Direct the Respondents not to dispossess or obstruct or disturb the Petitioners in carrying on his trade from his site i.e. Near IOB, Janpath Bus Stand, Police Booth, Janpath Market, New Delhi, in terms of section 3(3) of the street vendors {Protection of Livelihood and Regulation of Street Vending} Act 2014 and;

B. Direct the Respondents/Town Vending Committee to conduct the survey of the Petitioner within time bound manner and to issue certificate of vending in favour of the Petitioner as per the provisions of the Street Vendors {protection of livelihood and regulation of street vending} Act 2014.

Any other relief which this Hon'ble Court may deem fit and proper, may be granted in favour of the Petitioner, keeping in view overall facts and circumstances and also in the interest of justice.”

2. Learned counsel appearing on behalf of the petitioner, limits the relief in the present writ petition, to approach the duly constituted Town Vending Committee (TVC), at the first instance, in relation to the prayer clause (b) of the present writ petition; and to consider the petitioner's representation dated 10.04.2023, which is annexed as Annexure P-4, at the time the TVC carry out the subject survey, in accordance with law.

3. Having regard to the facts and circumstances attendant in relation to the present writ petition and having heard learned counsel appearing on behalf of the parties; we dispose of the present writ petition, with a direction to the Town Vending Committee, to determine the petitioner's

representation dated 10.04.2023, in accordance with law, at an appropriate stage.

4. No further relief is prayed for.
5. The writ petition is disposed of accordingly. The pending application also stands disposed of.
6. A copy of this judgment be uploaded on the website of this Court.

**SIDDHARTH MRIDUL
(JUDGE)**

**TALWANT SINGH
(JUDGE)**

MAY 08, 2023/rs

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