



Neutral Citation Number 2023:DHC:3907-DB

#-40

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered on: 17.05.2023

+ W.P.(C) 6573/2023, CM APPL. 25818/2023 (Exemption) & CM APPL. 25819/2023 (Exemption)

VIDHA

..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner	:	Mr. Bharat Aggarwal, Advocate
For the Respondents	:	Mr. Sri Harsha Peechara, ASC with Mr. Mananjay Kr. Mishra, ASC and Ms. Harshita Gupta, Advocate for NDMC.
		Ms. Nitika Bhutani, Advocate for R-2/SHO.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

J U D G M E N T

SIDDHARTH MRIDUL, J. (OPEN COURT)

CM APPL. 25818/2023 (Exemption) & CM APPL. 25819/2023 (Exemption)

1. Exemption granted, subject to all just exceptions.

2. The applications stand disposed of accordingly.

Signature Not Verified

Digitally Signed
By: AANCHAL TAGGAR

Signing Date: 02.06.2023 **W.P.(C) 6573/2023**



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W.P.(C) 6573/2023

1. The present petition under Article 226 of Constitution of India, 1950, has been instituted on behalf of the petitioner, praying as follows:-

“a) Direct the respondent for the transferring of vending site of deceased Late Ram Avtar on the name of petitioner as the petitioner was first legal heir of deceased as the petitioner's husband was found in the list of 628 at serial no. 423 .
b) Direct the respondent no.1 for survey the petitioner as the petitioner's husband was permitted vendor of NDMC area.
c) Issue a Writ, Order or Direction or Pass such other or further orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. Issue notice.

3. Mr. Sri Harsha Peechara, learned Additional Standing Counsel accepts notice on behalf of the respondent no. 1/Municipal Corporation of Delhi (MCD) and Ms. Nitika Bhutani, learned counsel accepts notice on behalf of respondent no.2.

4. The petitioner, limits the relief in the present petition, seeking liberty to approach the concerned Town Vending Committee (TVC) of the area along with the relevant documents for appropriate relief i.e.

substitution of her name, instead of that of her deceased husband, Mr.

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Ram Avtar, who had featured at Serial No. 423 in the list of 628 vendors, prepared by the New Delhi Municipal Council (NDMC) in the year 2012.

5. Mr. Sri Harsha Peechara, learned Additional Standing Counsel appearing on behalf of the NDMC states that, they do not oppose the limited relief, as extracted hereinabove, for the reason that the NDMC itself has asked the petitioner herein, to do precisely that.

6. In view of the foregoing, the limited relief prayed for, on behalf of the petitioner, as afore-extracted is granted, permitting him to take necessary steps in accordance with law.

7. No further relief is prayed for.

8. The writ petition is disposed of accordingly.

9. Copy of this judgment be uploaded on the website of this Court, *forthwith*.

**SIDDHARTH MRIDUL
(JUDGE)**

**TALWANT SINGH
(JUDGE)**

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By: AANCHAL T AGGAR



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MAY 17, 2023/nk

[*Click here to check corrigendum, if any*](#)



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