



#S-54

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 31.05.2023

W.P.(C) 7911/2023 & CM APPL. 30526/2023 (for direction)

KANCHAN**....Petitioner****Versus****GOVERNMENT OF NCT OF DELHI & ORS.****....Respondents**

Advocates who appeared in this case:

For the Petitioner : Mr. Ram Narayan Singh, Mr. Anand C. Shailani,
Mr. Rajinder Kumar, Advocates.

For the Respondents : Mr. Sri Harsha Peechara, ASC with Mr. Ashish Tiwari,
Assistant Standing Counsel with Ms. Harshita Gupta,
Mr. Sahib Patel & Mr. Shubham Kumar Mishra,
Advocates for R-2/NDMC.
Ms. Rachita Garg, Advocate for R-1 & 3/SO.

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)

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

“It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to issue a writ of mandamus or any other appropriate writ, or direction:-

A. Direct the Respondents not to dispossess or obstruct or disturb the Petitioners in carrying on her trade from



her site i.e. Gujrati Market, Janpath, New Delhi-110001, 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. Issue notice.
3. Ms. Rachita Garg, learned counsel accepts notice on behalf of the respondent No. 1 and 3/GNCTD. Mr. Sri Harsha Peechara, learned Standing Counsel accepts notice on behalf of the NDMC/ Respondent no. 2.
4. Mr. Ram Narayan Singh, learned counsel appearing on behalf of the petitioner, limits the relief to a direction to the Town Vending Committee (TVC), to consider the petitioner's representation dated **25.05.2023**, annexed as **Annexure P-5** to the present writ petition, in accordance with law, *expeditiously*.
5. Learned counsel appearing on behalf of the GNCTD states that the survey to be conducted by the duly constituted Town Vending Committee, shall commence *forthwith*, in accordance with the provisions



of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014, as well as, the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2017 and The Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019.

6. Learned counsel appearing on behalf of the NDMC states, that they shall render assistance, as may be required by the GNCTD, in this behalf.

7. Directed accordingly.

8. No further relief is prayed for.

9. In view of the foregoing, the present writ petition is partly allowed, and disposed of with a direction to the Town Vending Committee, to consider the petitioner's representation dated **25.05.2023**, in accordance with law, during the conduct of the current survey.

10. The pending application also stands disposed of.

11. A copy of this judgment be uploaded on the website of this Court.

**SIDDHARTH MRIDUL
(JUDGE)**

TALWANT SINGH



(JUDGE)

MAY 31, 2023

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

