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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 769/2024 CM APPL. 3366/2024**

NIRANJAN

..... Petitioner

Through: Mr. Abhishek Saxena, Mr. Singh
Nishant Sanjay Kumar, Mr. Vaibhav
Patel, Mr. Munish, Mr. Rahul
Marwah, Ms. Mumtaz Shaikh and
Ms. Kamini, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND OTHERS

..... Respondents

Through: Mr. Mohd. Irsad, ASC with Ms.
Nasreen and Mr. Kunal Raj,
Advocates for R-2 and 3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

27.05.2024

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1. The petitioner has filed the present petition, *inter alia*, praying as
under:

“A. Pass an Order directing the respondents to ensure that that the
petitioner is allowed to peacefully vend in terms of his vending site
i.e. south zone ward S-62, GREEN PARK YUSUF SARAI, New
Delhi, without any Let or hindrance being cause by any public
official.

B. Pass an order directing the respondents, their officials, their agents
etc. be restrained from harassing-dislocating-removing the petitioners
from peacefully vending at his vending site.

C. Pass an order directing the SHO P.S. HAUZ KHAS to ensure that



the petitioner street vendor shall not be forcefully and illegally be removed from his vending site.

D. Pass an order directing the respondent Government of NCT of Delhi to comply and effectuate the provision of section 20 of the STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATIONS OF STREET VENDING) ACT, 2014, and make the dispute redressal committee functional within the stipulated time period.

E. Pass an order that no street vendor shall be evicted from his vending site till the formation of the vending zone.”

2. The petitioner claims that he has been carrying on vending activities from a site located at south zone ward S-62, Green Park Yusuf Sarai, New Delhi. The petitioner has also been issued a Certificate of Vending (COV) indicating that his vending area as South Zone, Ward-62. The petitioner is essentially aggrieved on account of the conditions of the COV which require him to not carry on vending activities at a particular site for more than a particular time. The petitioner claims that he is required to be treated as “stationary vendor” and not as a “mobile vendor”.

3. It is contended by learned counsel for the respondent that at this present stage, the petitioner cannot be treated as a “stationary vendor” as no specific site has been allocated to him. He states that after the survey is complete, the second Town Vending Committee (TVC-II) would be constituted and the Municipal Corporation of Delhi would prepare a vending plan in consultation with TVC-II. At that stage, the question of permitting vending at a fixed place may be considered.

4. In view of the above, we dispose of the petition by directing that the petitioner shall not interdicted or interfered with in carrying on its vending activities subject to the petitioner complying with the terms and conditions of the COV.



5. The petition is disposed of in the aforesaid terms. All pending applications also stand disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

MAY 27, 2024
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Click here to check corrigendum, if any