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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 803/2024 CM APPL. 3450/2024**
KAMLESH KUMAR

..... Petitioner

Through: Mr.Rajinder Kumar, Advocate.

versus

GOVERNMENT OF NCT DELHI & ORS.

..... Respondent

Through: Mr.Mohit Bhardwaj, Panel Counsel
for GNCTD and Delhi Police.
Mr.Tarun Chandiook, ASC and
Mr.Varun Chandiook and Ms.Anubhi,
Advocates for NDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

19.01.2024

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1. The petitioner has filed the present writ petition, *inter alia*, praying that respondent no. 3 (Town Vending Committee) be directed to conduct the survey of the petitioner in a time bound manner and issue a certificate of vending in favour of the petitioner. The petitioner also prays that his representation dated 28.12.2023 be decided in accordance with law.
2. The learned counsel appearing for the respondents submits that a survey will be held shortly and in terms of paragraph 1.1.12 of the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019, all persons claiming to be street vendors would be provided an opportunity to submit evidence in support of their claim that they are/were engaged in street vending. He submits that this would be irrespective of whether a street vendor has been found at the given site.
3. In view of the above statement, the petitioner's grievance regarding



holding of the survey as well as regarding issuance of certificate of vending, is addressed.

4. We direct the concerned TVC to consider the petitioner's representation dated 28.12.2023, a copy of which is annexed to this petition. The petitioner will be at liberty to submit appropriate documents during the course of survey.

5. The petitioner also prays that he may not be disturbed from carrying on his trade from the site, that is, Opposite Shop No.25, Sarojini Nagar Market, New Delhi.

6. The learned counsel for the respondents states that there are large numbers of street vendors who are claiming that they are/were carrying on their trade in Sarojini Nagar Market. However, the said market cannot sustain the number of persons who have approached this Court. The learned counsel submits that the actual survey will determine whether the petitioner can be permitted to carry on his trade at the aforesaid site in the Sarojini Nagar Market.

7. In view of the above, we do not consider it apposite to pass any orders to the said effect.

8. The petition is disposed of. Pending application, if any, also stands disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 19, 2024

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Click here to check corrigendum, if any