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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1132/2024 CM APPL. 4769/2024**

MUKESH BAWARIYA

..... Petitioner

Through: Mr. Rajvinder Kumar, Adv.

versus

GOVERNMENT OF NCT DELHI & ORS. Respondents

Through: Mr. Mohit Bhardwaj, Panel Counsel,
GNCTD for R-1 & R4.

Mr.Chetanya Singh, ASC for NDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

25.01.2024

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

“A. Direct the Respondents not to dispossess or obstruct or disturb the Petitioners in carrying on his trade from his site i.e. Near Mother Dairy, Sarojini Nagar Market, Sarojini Nagar, New Delhi-110023 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 consider the representation dated 15.01.2024 of the Petitioner and 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 V ending) Act 2014, 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 V ending) Scheme 2019.”

2. The petitioner claims that he was selling permissible goods from a vending site described as ‘near Mother Dairy Chowk, Sarojini Nagar Market, Sarojini Nagar, New Delhi-110023’. He alleges that the officials of the New Delhi Municipal Council (NDMC) have on a number of occasions removed him from the site and thrown away his goods. He states that his



goods have also been confiscated from time to time.

3. According to NDMC, the petitioner is not permitted to vend at the said site. It is stated that the petitioner's name did not feature in the list of 628 unauthorised vendors who were operating at the relevant time and are covered by protective orders passed by this Court.

4. Learned counsel for the respondents submit that there are a large number of street vendors who claim that they are entitled to vend from sites located in Sarojini Nagar, however, the capacity of market is insufficient to support such large numbers of vendors.

5. The learned counsel for the respondents state that a survey would be conducted shortly by the Town Vending Committee (TVC).

6. In view of the above, relief as sought by the petitioner cannot be granted.

7. We direct that the concerned TVC shall consider the petitioner's representation dated 15.01.2024, a copy of which is annexed to this petition. The petitioner will also be at liberty to furnish appropriate documents during the course of the survey.

8. The petition is disposed of in the aforesaid terms. All pending application(s) stand disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 25, 2024

M/SA

Click here to check corrigendum, if any