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

+ **W.P.(C) 1470/2024 CM APPL. 6060/2024**

RAJWANTI BAVARIYA

..... Petitioner

Through: Mr.Rajinder Kumar, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Ms.Kanika Singh, Mr.Nikhil Saini
and Mr.Tarandeep Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

01.02.2024

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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 Chowk, 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 Vending) 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 Vending) Scheme 2019.”

2. The petitioner claims that she was selling permissible goods from a vending site described as ‘near Mother Dairy Chowk, Sarojini Nagar Market, Sarojini Nagar, New Delhi-110023’. She alleges that the officials of the New Delhi Municipal Council (NDMC) have on a number of occasions



removed her from the site and thrown away her goods. She states that her 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. This Court is informed that a survey is being conducted. In this view, we dispose of this petition by directing that the petitioner would also have a right to participate in the survey and furnish all documents or material to establish that he has been carrying on vending activities. It is stated that the TVC shall consider the matter and record as furnished by the petitioner for taking a decision.

6. We also direct that the concerned TVC shall consider the petitioner's representation dated 15.01.2024, a copy of which is annexed to this petition.

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

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

FEBRUARY 01, 2024

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Click here to check corrigendum, if any