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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1504/2024 CM APPL. 6216/2024 CM APPL. 6217/2024
SH. KULDEEP SINGH Petitioner
Through: Mr.Dharmender Sharma and
Ms.Kajol Mishra, Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR Respondent
Through: Mr.Chetanya Singh and Ms.Devika
Mohan, Advocates for NDMC.
Mr.Mayank Kamra, Advocate for
Mr.Divyam Nandrajog, Panel
Counsel for R2

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **02.02.2024**

1. The petitioner has filed the present petition, *inter alia*, praying that respondent no.1 (hereafter '**NDMC**') be directed not to harass/remove the petitioner's stall located in front of shop no.168, Sarojini Nagar Market, New Delhi -110023 till the completion of the survey being conducted by the Town Vending Committee (hereafter '**TVC**').
2. The petitioner claims to be son of late Sh. Bachole Singh, whose name was mentioned in the list of 628 unauthorised vendors that were found carrying out the vending activities and should have been accorded protection under the orders passed by this Court.
3. The learned counsel for NDMC submits that the petitioner cannot derive any benefit from the fact that the name of his father is mentioned in the list of 628 unauthorised vendors who were found vending in the area in the year 2012.
4. The father of the petitioner expired in the year 2012 and there is no



material on record to establish that the petitioner is carrying on vending activities since the said date.

5. The learned counsel appearing on behalf of NDMC pointed out that number of vendors seeking the right to vend in the Sarojini Nagar Market, far exceeds the capacity of the said market. In addition, the unauthorised vendors are not permitted to vend from a fixed place.

6. Since, there is no material on record to show that the petitioner has been carrying on vending activities since the demise of his father in the year 2012, the relief sought for in the petition cannot be granted.

7. Additionally, since it is stated that the Sarojini Nagar Market has a limited capacity and the number of persons claiming the right to vend in the said market exceeds the capacity of the market, no relief in this regard can be granted.

8. 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.

9. In view of the above, the petition stands disposed of. Pending application(s) also stands disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

FEBRUARY 02, 2024

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