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IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P.(C) 2071/2024 CM APPL. 8618/2024

RAM KARAN

..... Petitioner

Through: Mr. Rajinder Kumar, Advocate

versus

GOVERNMENT OF NCT DELHI & ORS.

..... Respondents

Through: Mr. Jitendra Kumar Tripathi, ASC
with Ms. Devika Mohan, Advocate
for NDMC

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

10.04.2024

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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. Opposite Shop No. 75, Babu Matket, 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 16.01.2024 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 he was selling permissible goods from a vending site described as ‘Opposite Shop No. 75, Babu Market, Sarojini Nagar, New Delhi—110023’.



3. According to the NDMC, the petitioner is not permitted to vend at the said site. It is stated that the petitioner's name does 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. The learned counsel for the respondents submits 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 the market is insufficient to support such a large number 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 the documents or material to establish that he has been carrying on vending activities. It is stated that the Town Vending Committee (TVC) shall consider the material and documents as furnished by the petitioner for taking an informed decision.
6. We also direct that the concerned TVC shall consider the petitioner's representation dated 16.01.2024, 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

APRIL 10, 2024

g.joshi

Click here to check corrigendum, if any