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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2317/2024

REHRI PATRI EKTA MANCH AND ORS Petitioners

Through: Mr. Dipak Raj, Mr. Kamlesh Kr. Mishra, Mr. Bibhuti Bhushan Mishra, Mr. Gulshan Mishra, Ms. Renu and Mr. Deep Raj, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

....Respondents

Through: Ms. Shilpa Ohri, Additional Standing Counsel for R-1.
Mr. Udit Malik, ASC (Civil) for GNCTD with Mr. Vishal Chanda, Adv. for R-3 & 4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

16.02.2024

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1. The present petition has been filed by the petitioners praying as under:

“I. Pass an order directing the respondents to allow the petitioner no. 2 to 27 to peacefully vend in terms of the Certificate of Vending issued to them.

II. Pass an Order directing the respondents to ensure that the petitioner no. 2 to 27 be allowed to peacefully vend on their vending sites i.e., On the Footpath, Neta Ji Subhash Park to Jama Masjid Metro Station Gate No-4, City SP Zone, Ward-85-N without any hindrance being caused by any public official.”

2. The petitioners have been issued Certificates of Vending which indicate their vending area as City SP Zone, Ward-85-N, New Delhi. Admittedly, the petitioners do not have a Tehbazari license for vending from

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a fixed site. Thus, in accordance with the terms and conditions of the Certificate of Vending, the petitioners are proscribed from vending at a particular place for more than 30 minutes or such time, as may be determined by the Town Vending Committee.

3. In view of the above, we consider it apposite to dispose of the present petition by directing the respondents not to interdict or interfere with the petitioners' trade subject to the petitioners complying with the terms and conditions of the Certificate of Vending.

4. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

FEBRUARY 16, 2024/r

Click here to check corrigendum, if any

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