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

+ **W.P.(C) 2396/2024**

**PANDAV NAGAR RESIDENTS WELFARE ASSOCIATION
REGD**

..... Petitioner

Through: Ms.Monica Kapoor, Advocate with
petitioner in person.

Versus

MUNICIPAL CORPORATION OF DELHI & ANR. Respondents

Through: Mr.Jai Wadhwa, Advocate.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

20.02.2024

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1. Present writ petition has been filed seeking directions to either shift the Wednesday weekly market being conducted in Pandav Nagar or to conduct the weekly market on Monday when the local market is closed or to conduct the same in an enclosed ground of Municipal Corporation of Delhi ('MCD') named as "Dhobhi Ghat" in Pandav Nagar.

2. Learned counsel for the petitioner states that the weekly market is being conducted in Pandav Nagar on Wednesday of every week since last so many years due to which the residents face great difficulty in commuting. She states that the Wednesday weekly bazaar is being conducted in Pandav



Nagar contrary to the directions of the Supreme Court passed in W.P. (C) 1699/1987 vide order dated 06th February, 2007. She states that the said shops are set up in contravention of the scheme framed for squatters/hawkers by MCD vide Resolution no.377 dated 25th October, 2004 and approved by the National Policy on Street Vendor, 2004. She states that the SOP framed by the MCD is not being followed by the hawkers.

3. She further states that the petitioner-association has been requesting the hawkers to set up their shops/sites on one side of the road only to avoid hindrance in the movement of the residents but the shopkeepers have turned a deaf ear to the repeated requests of the petitioners. She also states that the directions issued by MCD vide decision dated 07th October, 2020 finalizing the schedule for running of weekly bazaars are not being followed by the squatters/hawkers.

4. Learned counsel for the petitioner states that the petitioner-association has sent several representations dated 26th July, 2022, 29th May, 2023, 01st June, 2023, 13th June, 2023 and 15th January, 2024 informing the respondent no.2 about the hardships being faced by the residents due to the said weekly bazaar. She states that, however, no response has been received. She contends that though only hundred vendors have been granted permission to participate in the Wednesday market in Pandav Nagar and that too in the area of 4'x6', yet at least 500 vendors come and sell their goods in said market and they occupy at least 10'x10' choking the entire area.

5. Learned counsel for the respondents, who appears on advance notice, states that the proposal to shift the weekly market from Wednesday to Monday is under consideration of senior officials of MCD.



6. Keeping in view the aforesaid, this Court disposes of the writ petition by directing the Commissioner, MCD to treat the present writ petition as a representation and decide the same by way of a reasoned order in accordance with law within four weeks.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 20, 2024
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