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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2816/2024 CM APPL. 11555/2024**
RENUKA

..... Petitioner

Through: Mr.M.K.Perwez, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr.Divyam Nandrajog, PC and
Mr.Jatin Dua, Advocate for GNCTD.
Mr.Tarun Chandiok, ASC, Mr.Varun
Chandhiok, Ms.Anubjhi and
Ms.Varinda Kapur, Advocates for
NDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

26.02.2024

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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 18.08.2023 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.

C. Any other relief which this Hon'ble Court may deem fit



and proper may be granted in favour of the petitioner, keeping in view overall facts and circumstances and also in the interest of justice.”

2. The petitioner claims that he was selling permissible goods from a vending site described as “Near Mother Chowk, Sarojini Nagar Market, New Delhi-110023”. He alleges that the officials of respondent no.3 – New Delhi Municipal Council (**NDMC**) have on a number of occasions removed him from the site and thrown away his goods. He states that his goods have also been confiscated from time to time.
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 the present petition by directing that the petitioner also has the right to participate in the survey and furnish all documents or material to establish that he has been carrying on the vending activities from the said site. 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 18.08.2023, a copy of which is annexed to this petition.



7. The petition is disposed of in the aforesaid terms. Pending application also stands disposed of.

VIBHU BAKHRU, J

TUSHAR RAO GEDELA, J

FEBRUARY 26, 2024

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Click here to check corrigendum, if any