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IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P.(C) 3139/2024 CM APPL. 12852/2024

PUSHPA DEVI

..... Petitioner

Through: Mr. M.K. Parwez, Adv.

versus

GNCTD & ORS.

..... Respondents

Through: Mr. Divyam Nandrajog, Panel Counsel,
GNCTD with Ms. Surbhi Soni, Adv.
for R-1&4.

Ms. Aarushi Tikku, Adv. for NDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

20.03.2024

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1. The petitioner has filed the present writ petition, *inter alia*, praying as under:

“A. Direct the Respondents not to dispossess or obstruct or disturb the Petitioners in carrying on his trade (petty trade) selling ladies undergarments in front of PNB BANK, 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 07.02.2024 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 learned counsel appearing for the respondents submit that a survey will be held shortly and in terms of paragraph 1.1.12 of the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019, all persons claiming to be street vendors would be provided an opportunity to submit evidence in support of their claim that they are/were



engaged in street vending. He submits that this would be irrespective of whether a street vendor has been found at the given site.

3. In view of the above statement, the petitioner's grievance regarding holding of the survey is addressed.

4. The petitioner also prays that she may not be disturbed from carrying on her trade from the site that is in front of PNB BANK, Sarojini Nagar Market, Sarojini Nagar, New Delhi-110023.

5. The learned counsel for the respondents state that there are large numbers of street vendors who are claiming that they are/were carrying on their trade in Sarojini Nagar Market. However, the said market cannot sustain the number of persons who have approached this Court. The learned counsel submit that the actual survey will determine whether the petitioner can be permitted to carry on her trade at the aforesaid site in the Sarojini Nagar Market.

6. In view of the above, we do not consider it apposite to pass any orders to the said effect.

7. The Petition is disposed of.

8. All pending applications stand disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

MARCH 20, 2024/SA

Click here to check corrigendum, if any