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

+ **W.P.(C) 3415/2024 CM APPL. 13953/2024**

**ASLAM**

..... Petitioner

Through: **Mr.Ramesh Kumar Mishra and  
Mr.Shivam Tiwary, Advocates.**

versus

**NEW DELHI MUNICIPAL COUNCIL & ORS.** ..... Respondents

Through: **Mr.Chetanya Singh, ASC for NDMC.  
Mr.Abhinav Garg, PC, Mr.Mihir  
Gujjewar and Mr.Nishant Goyal,  
Advocates for GNCTD.**

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**HON'BLE MS. JUSTICE TARA VITASTA GANJU**

**ORDER**

**06.03.2024**

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

“a. Issue writ of Mandamus or any other writ, order or direction thereby allowing the petitioner to continue his vending activity and restrain the Respondent authorities from interfering with the vending activities of the Petitioner in Front of Shop no. 95, Sarojini Nagar Market, Delhi-110023; and/or;  
b. Direct the respondent not to interfere or to create any hindrance in the survey of the petitioner as per Street Vendors Act.”

2. The petitioner claims that he was selling permissible goods from a vending site described as “in front of Shop No.95, Sarojini Nagar Market, New Delhi-110023”. He alleges that the officials of respondent no.1 – New Delhi Municipal Council (**NDMC**) have on a number of occasions removed him from the site and have 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. The petition is disposed of in the aforesaid terms. Pending application also stands disposed of.

**VIBHU BAKHRU, J**

**TARA VITASTA GANJU, J**

**MARCH 06, 2024**

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*Click here to check corrigendum, if any*