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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3833/2024**
LALLAN CHAUDHARY

..... Petitioner
Through: Mr.U.M.Tripathi, Mr.Abhishek
Saxena, Mr.Singh Nisthan Sanjay
Kumar, Mr.Vaibhav Patel, Mr.Saurav
Dewal, Mr.Munish, Ms.Mumtaz
Shaikh, Ms.Utsa Srhivastav,
Ms.Kamini, Advocates.

versus
MEHARAULI POLICE STATION AND OTHERS

..... Respondents
Through: Mr.Divyam Nandrajog, PC and
Ms.Surbhi Soni, Advocate for
GNCTD/R1 and R3.
Ms.Shilpa Ohri, ASC for MCD/R2.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER
14.03.2024

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CM APPL. 15720/2024

1. Exemption is allowed, subject to just exceptions.
2. The application stands disposed of.

W.P.(C) 3833/2024 and CM APPL. 15719/2024

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

“A. Pass an order directing the respondent no.1, SHO
P.S. MEHRAULI to ensure that the petitioner street
vendor shall not be forcefully and illegally be
removed from his vending site.

B. Pass an order directing the respondent no.1 to
release the seized articles of the petitioner which was
seized from his vending site.



C. Pass an Order directing the respondents to ensure that that the petitioner is allowed to peacefully vend in terms of his vending site i.e. SOUTH ZONE WARD S-68, which is situated at Mehrauli, New Delhi, without any Let or hindrance being cause by any public official.

D. Pass an order directing the respondents, their officials, their agents etc. be restrained from harassing-dislocating-removing the petitioners from peacefully vending at his vending site.

E. Pass an order directing the respondent Government of NCT of Delhi to comply and effectuate the provision of section 20 of the STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATIONS OF STREET VENDING) ACT, 2014, and make the dispute redressal committee functional within the stipulated time period.

F. Pass an such order that no street vendor shall be evicted from his vending site till the formation of the vending zone.

G. Pass an such directions or order that this Hon'ble Court deems fit and proper in the facts and circumstances of the abovementioned case.”

4. The petitioner is aggrieved as his vending activities have been interfered by respondent no.1 (Mehrauli Police Station through its SHO) and the concerned police authorities have removed his goods.

5. The petitioner has been issued a Certificate of Vending (**COV**) which indicates the petitioner has been granted license to vend in South Zone, Ward- S-68. Admittedly, the petitioner has not been allocated any fixed site for carrying on his vending activities. Further, the terms of the COV expressly prohibit a mobile vendor from vending at a particular place for more than 30 minutes or any such other time as the Town Vending Committee (**TVC**) may fix.

6. Since the petitioner has not been allocated any fixed place, the



petitioner necessarily has to be considered a mobile vendor.

7. The COV of the petitioner mentions the category of petitioner as ‘Food/Snack with gas cylinder/fire’. Concededly, it would be difficult for such a street vendor to move every 30 minutes.

8. We have in a number of cases issued similar directions to the TVC and the Municipal Corporation of Delhi to take a decision with respect to the issues as highlighted by the Petitioner. Calling upon mobile vendors to move every thirty minutes would inevitably put unnecessary pressure on the streets.

9. In so far as the removal / confiscation of the goods of the petitioner is concerned, since the goods are perishable, we consider it apposite to direct that the petitioner will approach the concerned SHO/respondent no.1 at the police station and the said goods would be released to the petitioner.

10. In view of above, the petition stands disposed of. Pending application also stands disposed of.

11. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

MARCH 14, 2024

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Click here to check corrigendum, if any