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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3958/2024 CM APPL. 16245-46/2024

MD NAZIM

..... Petitioner

Through: Mr.Dileep Kumar Mishra, Advocate.

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr.Divyam Nandrajog, PC and
Ms.Surbhi Soni, Advocate for
R1/GNCTD.

Mr.Amit Sinha and Ms.Aarushi Tiku,
ASC for respondents No.2 &
3/NDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

02.04.2024

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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. in front of Shop No.66, Keshav Park, Sarojni Nagar Market, Sarojni Nagar, New Delhi-110023 of section 3(3) of the street vendors (Protection of Livelihood and Regulation of Street Vending) Act 20 14 and;

B. Direct the Respondents/Town Vending Committee to consider the representation dated 06.02.2023 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. Issue direction to the respondent No.3 to release the articles which is taken into custody from the squatting site of the petitioner, on dated 03.02.2024.'

2. The petitioner claims that he was selling permissible goods from a vending site described as "in front of Shop No.66, Keshav Park, Sarojni Nagar Market, Sarojni Nagar, New Delhi-110023". He alleges that the officials of the New Delhi Municipal Council (**NDMC**) have on 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 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. Learned counsel for the respondents submit 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 this 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 vending activities. 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 06.02.2023, a copy of which is annexed to this petition.

7. The petition is disposed of in the aforesaid terms. All pending application(s) stand disposed of.

VIBHU BAKHRU, J

SHALINDER KAUR, J

APRIL 02, 2024

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Click here to check corrigendum, if any