



\$~22

*

+

IN THE HIGH COURT OF DELHI AT NEW DELHI
W.P.(C) 4229/2021 CM APPL. 12835/2021 CM APPL. 21631/2021

SH. MANOJ KUMAR

..... Petitioner

Through: Mr. Michael Peter, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL(NDMC)

& ANR.

..... Respondents

Through: Mr. Ashok Kumar Sharma, ASC with
Mr. Abhinav Kumar, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

18.03.2024

%

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

“(a) Protect the petitioner from eviction by the respondents from his site of squatting/vending as per the mandate of The Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014 and because his survey has been completed;

(b) Direct respondents to formulate Rules, Schemes and subordinate legislation as mandated by the Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014;

(c) Direct the respondents not to dispossess or evict or disturb the petitioner from his site of vending i.e. adjacent to Shop No. 101, Sarojini Nagar Market, New Delhi, till the certificate or license is granted to the petitioner as per The Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014 or the Rules framed thereunder since his survey has been completed;

(d) Protect the petitioner till the respondents frames the Rules, Schemes as mandated by the Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014 for his uninterrupted and peaceful vending and squatting to earn his livelihood at his site;”

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 he may not be disturbed from carrying on his trade from the site that is adjacent to Shop No.101, Sarojini Nagar Market, New Delhi.

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 his 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 18, 2024/SA

Click here to check corrigendum, if any