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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 4192/2024 & CM APPL. 17147/2024

MAHESH KUMAR YADAV

..... Petitioner

Through: Mr. Bibhuti Bhushan Mishra, Adv.
with Mr. Dipak Raj, Mr. Anish Raj,
Mr. Anubhav and Mr. Aditya Shubham
Chauhan with petitioner in person.

versus

TOWN VENDING COMMITTEE & ORS.

..... Respondents

Through: Mr. Sriharsha Peechara, Standing
Counsel with Ms. Devika Mohan,
ASC, Ms. Harshita Gupta and Mr.
Akshat Kulshreshtha, Advs. for
NDMC.
Mr. Divyam Nandrajog, Panel Counsel,
GNCTD with Ms. Surbhi Soni, Adv.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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20.03.2024

CM APPL. 17147/2024 (Exemption)

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

W.P.(C) 4192/2024

3. The petitioner who claims to be a street vendor has filed the present petition *inter alia* praying that the Certificate of Vending (COV) to be issued to the petitioner after the survey, mentioning the “type of vendor” instead of “type of vending”.
4. He further prays that directions be issued to the respondent/New Delhi Municipal Council (NDMC) to decide the petitioner’s representation dated 26.09.2023 in a time bound manner preferably within a period of one week.
5. Insofar as the petitioner’s prayer for mentioning the type of vendor in



COV is concerned, Mr. Peechara, appearing on behalf of NDMC points out that the survey has not been completed, and the right of the petitioner to secure the COV is not crystallized as yet and, therefore, no such orders need be passed in the present petition. He also states that the COV, as and when issued to vendors will be in accordance with the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereafter “the Act”). The NDMC is bound down by the statement made by Mr. Peechara.

6. Insofar as the petitioner’s representation is concerned, it is noticed that the said representation also essentially relates to the similar relief – that the COV should mention the type of vendor. It is material to note that Section 6 of the Act expressly provides that the COV can be issued in three categories – Stationary vendor; Mobile vendor; or any other category as may be specified under the Scheme. The COV that may be issued by the NDMC at a subsequent date would necessarily take into consideration the provisions of Section 6 of the Act.

7. No further orders are required in respect of the prayers made by the Petitioner.

8. We dispose of the present petition with the aforesaid observations.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

MARCH 20, 2024/SA

Click here to check corrigendum, if any