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

+ **W.P.(C) 4724/2024 & CM APPL. 19307/2024**

ASHA

..... Petitioner

Through: Mr.M.K.Perwez, Advocate.

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr.Mohd Irsad, ASC, Ms.Nasreen,
Mr.Kunal Raj, Mr.Shailesh,
Advocates for R1 and R4.

Mr.Sriharsha Peechara, SC,
Ms.Harsihta Gupta, Mr.Akshat
Kulshrestha and Mr.Shubham Mishra,
Advocates for 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 at corner Regal Building, Connaught Place, New Delhi - 110023, of section 3(3) of the street vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 and;

B. Direct the Respondents/Town Vending Committee to consider the representation dated 16.10.2023 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.’



2. The petitioner prays that she be not obstructed or dispossessed from carrying on her trade from the site described as ‘at corner Regal Building, Connaught Place, New Delhi – 110023 (sic 110001)’. The petitioner also prays that directions be issued to the respondent / Town Vending Committee (TVC) to consider her representation for issuance of the Certificate of Vending (COV).

3. In so far as the first prayer is concerned, this Court is unable to accede to the same as the area of Rajiv Chowk and Indira Chowk are declared as *No Vending Zones* and the site in question falls within the said zones.

4. In so far as the petitioner’s prayer for conducting the survey is concerned, this Court is informed that the survey is going to be conducted shortly. Admittedly, the petitioner would be entitled to furnish all material and evidence in support of her claim of carrying on vending activities. The same would be considered by the TVC at an appropriate stage.

5. The learned counsel appearing on behalf of the New Delhi Municipal Council (NDMC) also submits that the petitioner is not precluded from participating in the survey which is to be conducted shortly.

6. The petition stands disposed of in the aforesaid terms. Pending application also stands disposed of.

VIBHU BAKHRU, J

SHALINDER KAUR, J

APRIL 02, 2024

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Click here to check corrigendum, if any