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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6100/2023

KARTAR@RAMKARTAR

..... Petitioner

Through: Mr. N.K Sahoo, Advocate

versus

MUNCIPAL CORPORATION DELHI AND ORS

..... Respondents

Through: Ms. Puja Kalra, Standing Counsel
with Mr. Virendra Singh, Advocate
for MCD
Mr. Abhinav Garg, Panel Counsel,
GNCTD with Mr. Mihir Gujjewar,
Advocate

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

01.04.2024

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

“(I) To issue a writ of mandamus or appropriate writ or direction or order directing the respondent to issue the Certificate Of Vending in term of Survey conducted Vide URI ID:-8592890 .

(II) To issue a writ of mandamus or appropriate writ or direction or order directing the respondent not to disturb the petitioner for squatting in front of :- Shop/building No 36-E, Kamala Nagar Market, Kamala Nagar , Ps

Roop Nagar ,Delhi-7 till Section 21 of street vendors Act ,2014 being enforced and vending fees being collected under section 8 of the street vendors Act,2014;

(III) To issue a writ of mandamus or appropriate writ or direction or order directing the respondent not to disturb the petitioner for squatting in front of :- Shop/ Building No 36-E , Kamala Nagar Market, Kamala Nagar , Ps Roop Nagar in compliance of order dated 10.11.2021 passed in Writ Petition No 12605/2021;”



2. Admittedly, the petitioner has not been allocated any fixed site and therefore the petitioner's prayer that he be permitted to squat in front of Shop/building No 36-E, Kamala Nagar Market, Kamala Nagar, PS Roop Nagar, Delhi-7 cannot be granted. However, it is not disputed that the petitioner had participated in the survey conducted by the Town Vending Committee in the year 2021. Although, the petitioner had participated in the survey, a Certificate of Vending has not been issued to the petitioner.

3. The learned counsel appearing for the respondents submits that the Certificate of Vending has not been issued on account of a technical issue regarding linking of aadhaar card of the street vendors with the biometric authentication for the purposes of survey.

4. It is also not disputed that pending the resolution of this issue, MCD has issued Certificates of Vending to various street vendors who have participated in the survey.

5. We, accordingly, direct the MCD/TVC to issue the necessary certificate of vending as expeditiously as possible.

6. Since it is stated that issuance of Certificate of Vending is being delayed, we direct that the petitioner would not be disturbed in carrying on his vending activities strictly in accordance with the terms and conditions of the Certificate of Vending that has been issued by the MCD. In particular, the conditions require that the street vendors would not carry on the vending activity at a given place for more than 30 minutes or till such time that may be fixed by the TVC. Subject to the petitioner carrying on the vending activities in aforesaid terms and in accordance with law, the petitioner would not be interdicted from continuing his vending activities.



7. The petition is disposed of in the aforesaid terms. All pending applications stand disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

APRIL 01, 2024

g.joshi

Click here to check corrigendum, if any