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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5280/2024 CM APPL. 21588/2024 CM APPL. 21625/2024**
SHAMMY KAPOOR KHATRI Petitioner

Through: Mr. Bharat Aggarwal, Mr. Kanhaiya
and Mr. Deepanshi Singhal, Advs.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR. Respondents

Through: Ms. Shilpa Ohri, ASC
Mr. Divyam Nandrajog, Panel
Counsel with Mr. Jatin Dua, Adv. for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **10.04.2024**

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

“a) Direct the Respondent No.1/TVC to not to dispossess or obstruct or disturb the petitioner in carrying on his trade from site i.e. Near Shop No.22 and 75, Babu Market, Sarojini Nagar Market, New Delhi in terms of section 3 (3) of the street vendors (protection of livelihood and regulation of street vending) act 2014 and;
b) Direct the Respondent no.1/TVC to conduct the survey of the petitioner within time bound manner and issue certificate of vending in favour of the petitioner .
c) Direct the Respondent No.1 to decide the petitioner's representation dated 20/03/2024 in accordance with law.”

2. The petitioner claims that he is selling permissible goods from a vending site described as ‘Shop No.22 and 75, Babu Market, Sarojini Nagar Market, New Delhi’.

3. According to the 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. The learned counsel for the respondents submits 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. As stated above, the survey is being conducted. We therefore dispose this petition by directing that the petitioner would also have a right to participate in the survey and furnish all the 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 20.03.2024, 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

TARA VITASTA GANJU, J

APRIL 10, 2024/r

Click here to check corrigendum, if any