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

+ **W.P.(C) 5415/2024 & CM APPL. 22356/2024**

MANNU SINGH YADAV AND ANR Petitioners

Through: Mr. Raman Yadav, Adv. with Ms.
Akriti Chaturvedi and Mr. Priyam
Kaushik, Advs.

versus

MUNICIPAL CORPORATION OF DELHI Respondent

Through: Mr. Vikrant N. Goyal, Adv. with Mr.
Abhishrut Singh, Ms. Anushka
Jaiswal and Mr. Vivek Goyal, Advs.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **16.04.2024**

CM APPL. 22356/2024 [Exemption]

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

W.P.(C) 5415/2024

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

“(A) Issue the Writ of Mandamus directing the Respondent to reinstate the Petitioner’s shop to their respective place of vending i.e. F Block of Kamla Nagar, Kolhapur Road, P.S. Roop Nagar, Delhi-110007,

(B) To decide the Representation dated 04.03.2024 forwarded by the Petitioners to the Municipal Corporation of Delhi.”

4. The petitioner claims that he was carrying on vending activities from F Block of Kamla Nagar, Kolhapur Road, Delhi-110007.
5. Admittedly, no fixed site was allocated to the petitioner and, therefore, the prayer that he may be reinstated to run a shop at the fixed



place cannot be acceded to.

6. The petitioner was issued a Certificate of Vending (COV) indicating his area of vending as Keshav Puram, Ward-78-N. Learned counsel appearing for the respondent submits that the site as mentioned by the petitioner – F Block of Kamla Nagar, Kolhapur Road, Delhi-110007 –falls in a no vending zone.

7. He also states that the area mentioned in the petitioner's COV as Keshav Puram, Ward-78-N has now changed to Kamla Nagar, Ward-69. He also states that there is no impediment for the petitioner to vend, in the said Ward, except in areas which are declared as no vending zone.

8. Learned counsel for the petitioner submits that in view of the above, the directions be issued to the respondent to permit the petitioner to participate in the survey which is being conducting by the Town Vending Committee (TVC). He also submits that, in addition, directions be issued for consideration of his representation.

9. In view of the above, the present petition is disposed of by directing that the petitioner would be entitled to participate in the survey and furnish such material and evidence in support of his claim that he has been carrying on vending activities.

10. Needless to state that the concerned TVC/authority shall consider the material submitted by the petitioner, if any, at an appropriate stage.

11. The representation made by the petitioner to the Mayor, Municipal Corporation of Delhi on 04.03.2024 is directed to be considered by the MCD/TVC.

12. In the meanwhile, the petitioner would not be interdicted in carrying on his vending activities, subject to the same being carrying on in terms of



the terms and conditions of COV.

13. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

APRIL 16, 2024/SA

Click here to check corrigendum, if any