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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10977/2021 CM APPL. 33824/2021**
AAS MOHD @ ASHU

..... Petitioner

Through: Counsel (appearance not given)

versus

NEW DELHI MUNICIPAL COUNCIL (NDMC) & ORS.

..... Respondent

Through: Mr. Divyam Nandrajog, Panel
Counsel, GNCTD with Mr. Mayank
Kamra, Advocate for R-2 and 4

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

20.02.2024

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

“(a)Protect the petitioner from eviction by the respondents from his site of squatting/ vending as per the mandate of The Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014 and because his survey has been completed and also as per the issuance of no eviction letter by the respondent No.1 (Annexure P—2);

(b)Direct respondents to implement and comply with Rules, Schemes and subordinate legislation as mandated by The Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014;

(c)Direct the respondents not to dispossess or evict or disturb the petitioner from his site of vending i.e. in front of Opp. Durga Mandir, Besides Manoranjan Kendra, Sarojini Nagar Market, New Delhi—110023, till the certificate or license is granted to the petitioner as per The Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014 or the Rules framed there under since his survey has been completed;



(d) Uphold the survey conducted by the TVC as legal since dissolution of the TVC was done after the survey was completed and during the survey period the TVC was legal and valid;”

2. The petitioner claims that he was selling permissible goods from a vending site described as “in front of Opp. Durga Mandir, Besides Manoranjan Kendra, Sarojini Nagar Market, New Delhi—110023”. He alleges that the officials of the New Delhi Municipal Council (**NDMC**) have on a number of occasions removed him from the site and seized his goods. He states that his goods have also been confiscated from time to time.

3. According to 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. Learned counsel for the respondents submit that there are a large number of street vendors who claim that they are entitled to vend from sites located in Sarojini Nagar market, however, the capacity of the market is insufficient to support such a large number of vendors.

5. This Court is informed that a survey is being conducted. In this view, we dispose of this petition by directing that the petitioner also has the right to participate in the survey and furnish all documents or materials 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 09.08.2021 as submitted with the Delhi Development



Authority, 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

FEBRUARY 20, 2024

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Click here to check corrigendum, if any