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

+ W.P.(C) 7310/2024 & CM APPL. 30540/2024

RAMPAL GUPTA

.....Petitioner

Through: Mr. Kashiv Sharma, Adv.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Aditya Vaibhav Singh, Advocate
for MCD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

31.07.2024

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1. Issue notice.
2. Learned counsel appearing on behalf of the respondent accepts notice.
3. The petitioner who is a street vendor has filed the present petition *inter alia* praying that directions be issued to the respondent for allotment of *tehbazari* site in Shahdara South Zone to the petitioner. The petitioner also prays that directions be issued to the respondents for permitting the petitioner to carry on the vending activities from the given site [in front of D-48, Main Market, Shakarpur, Delhi].
4. The petitioner claims that he has been operating a tea-stall on cart at the given site since 1981. Petitioner also claims that he approached Municipal Corporation of Delhi (hereafter MCD) for the allotment of *tehbazari* site in the year 2001. The petitioner thereafter also filed an application in the year 2009 before the Zonal Vending Committee for the allotment of a *tehbazari* site.



5. The petitioner states that although directions for processing the application for all eligible street vendors were issued on 16.07.2010, the petitioner has not been allotted any site as yet.
6. The petitioner claims that during the period of 17.07.2010 to 31.12.2023, he had filed various representations to the Civic Authorities, however, his request has not been entertained. The petitioner states that on 08.01.2024, MCD had demolished his stall and is not permitting him to carry on vending activities.
7. In so far as allotment of *tehbazari* sites is concerned, no orders can be passed at this stage as the survey is yet to be completed and the vending plan in accordance with Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 has not been framed as yet.
8. However, in the given facts, we consider it apposite to direct the MCD to consider petitioner's representation dated 11.01.2024, a copy of which has been annexed with the present petition as expeditiously as possible.
9. We also clarify that the petitioner is not precluded from participating in the survey. This Court is informed that it is currently being undertaken.
10. It is also noted that several street vendors have been issued certificate of vending permitting them to vend as mobile vendors with a condition that they would not vend from a fixed place for more than 30 minutes or such time as may be fixed by the Town Vending Committee. The petitioner is also at liberty to apply for the similar certificate of vending from the concerned TVC.
11. Needless to state that said request, if made, be considered in



accordance with law.

12. The petition is disposed of with the aforesaid terms.
13. Pending application is also disposed of.

VIBHU BAKHRU, J

SACHIN DATTA, J

JULY 31, 2024
at