



\$~41

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 11232/2021 CM APPL. 34579/2021 CM APPL. 60179/2023
CM APPL. 60203/2023
MALTI YADAV

..... Petitioner

Through: Mr.Satish Kumar Tripathi, Advocate.

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.

..... Respondent

Through: Mr. Saad Mustafa and Mr. Ashish
Tiwari, ASC with Mr. Sahib Patel,
Advocate for NDMC
Mr. Anuj Aggarwal, ASC, GNCTD
with Ms. Arshya Singh, Mr. Yash
Upadhyay and Mr. Siddhant Dutt,
Advocates for R-2 and 4

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

14.02.2024

%

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 the survey of her and her husband has been completed, though the documentation was made in the name of the husband of the petitioner as mentioned above;

(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. Shop No.120, besides Manoranjan Kendra, Export Line, Sarojini Nagar Market, New 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 she was selling permissible goods from a vending site described as 'Opposite Shop No.120, besides Manoranjan Kendra, Export Line, Sarojini Nagar Market, Sarojini Nagar, New Delhi-110023'. She alleges that the officials of the New Delhi Municipal Council (NDMC) have on a number of occasions removed her from the site and thrown away her goods. She states that her goods have also been confiscated from time to time.

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 large numbers 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 she has been carrying on vending activities. It is stated that the 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 23.08.2021, 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 14, 2024

M

Click here to check corrigendum, if any