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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7589/2024**
RAM PRASAD

..... Petitioner

Through: Mr.N.K.Sahoo and Mr.S.B.Sahoo,
Advocates.

versus

NEW-DELHI MUNICIPAL COUNCIL & ANR

..... Respondents

Through: Mr.Raghvinder Varma and Ms.Shilpa
Ohri, ASC for NDMC.
Mr.Divyam Nandrajog, PC and
Ms.Surbhi Soni, Advocate for
GNCTD.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU
HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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24.05.2024

CM APPL. 31542/2024 (Exemption)

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

W.P.(C) 7589/2024 & CM APPL. 31541/2024

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

“(a) To issue a writ of mandamus or appropriate writ or direction or order directing the respondents for not disturbing the petitioners for squatting in front of Shop No.121, Sarojini Nagar Market, Sarojini Nagar, New-Delhi-23 in term of respondent No-1's undertaking / affidavit filed before the Hon'ble Supreme Court in W.P No.1231/2019 in the matter of Sumit Verma & Ors Versus North Delhi Municipal Corporation & Ors till the



petitioner being surveyed at the place of squatting and certificate of vending issued u/s 4 of Street Vendors Act, 2014 ;

(b) To issue a writ of mandamus or appropriate writ or direction to call for report by court commissioner to verify the veracity of respondent's statement before this Hon'ble Court."

4. The petitioner claims that he was selling permissible goods from a vending site described as 'Infront of Shop No.121, Sarojini Nagar Market, Sarojini Nagar, New Delhi-110023'.

5. The learned counsel appearing on behalf of the respondent submits that the petitioner is an unauthorised vendor and is not permitted to vend at the site. It is further 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.

6. There are a large number of street vendors, who claim that they are entitled to vend from the sites located in Sarojini Nagar. However, the capacity of the market is insufficient to support such a large number of vendors. In addition to the congestion, the respondents have also flagged the security concerns. The petitioner's claim that he has been vending from Sarojini Nagar Market since prior to the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 coming into force is disputed by the respondents. In view of the above, the relief as sought for by the petitioner cannot be granted.

7. This Court is informed that a survey is being conducted. In this view, we dispose of this petition by directing that the petitioner would have a right to participate in the survey and furnish all the documents or material to establish that he has been carrying on the vending activities. The Town Vending Committee (TVC) shall consider the material and documents as



furnished by the petitioner for taking an informed decision.

8. The petition is disposed of in the aforesaid terms. All pending application(s) stand disposed of.

VIBHU BAKHRU, J

DHARMESH SHARMA, J

MAY 24, 2024

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Click here to check corrigendum, if any