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

+ **W.P.(C) 8454/2024 CM APPL. 34868-34869/2024**

**MUSTAFA ANSARI**

..... Petitioner

Through: Mr. Abhishek Saxena, Mr. Singh  
Nishant Sanjay Kumar, Mr. Vaibhav  
Patel, Mr. Munish, Mr. Rahul  
Marwah, Ms. Mumtaz Shaikh and  
Ms. Kamini Singh, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI AND OTHERS**

..... Respondents

Through: Ms. Sweety Singh, Advocate for  
GNCTD.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**HON'BLE MS. JUSTICE TARA VITASTA GANJU**

**ORDER**

**31.05.2024**

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

*“A. Pass an order directing the SHO P.S. Madhu Vihar to ensure that the petitioner street vendor shall not be forcefully and illegally be removed from his vending site.*

*B. Pass an Order directing the respondents to ensure that the petitioner is allowed to peacefully vend in terms of his vending site i.e. Shahdara South zone, Ward 19 E, New Delhi, without any Let or hindrance being cause of any public official.*

*C. Pass an order directing the respondents, their officials, their agents etc. be restrained from harassing-dislocating-removing the petitioners from peacefully vending at his vending site.*

*D. Pass an order directing the respondent Government of NCT of Delhi to comply and effectuate the provision of*



*section 20 of the STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATIONS OF STREET VENDING) ACT, 2014, and make the dispute redressal committee functional within the stipulated period of a time.*

*E. Pass an order directing the Respondent no. 1 and 4 to decide the representation made by the Petitioner within a stipulated period of time.*

*F. Pass an such order that no street vendor shall be evicted from his vending site till the formation of the vending zone.*

*G. Pass an such directions or order that this Hon'ble court deems fit and proper in the facts and circumstances of the abovementioned case.”*

2. The petitioner claims that he has been carrying on vending activities from a site located at Shahdara South zone, Ward 19 E, New Delhi. The petitioner has also been issued a Certificate of Vending (COV) indicating that this vending area as Shahdara South Zone, Ward – 19E. The petitioner is essentially aggrieved on account of the conditions of the COV which require him not to carry on vending activities at a particular site for more than thirty minutes or such time as may be fixed by the TVC. The petitioner claims that he is required to be treated as a “stationary vendor” and not as a “mobile vendor”. The petitioner has also filed a representation dated 20.09.2023 to the Town Vending Committee in this regard.

3. It is contended by learned counsel for the respondent that at the present stage, the petitioner cannot be treated as a “stationary vendor” as no specific site has been allocated to him. He states that after the survey is complete, the second Town Vending Committee (TVC-II) would be constituted and the Municipal Corporation of Delhi would prepare a vending plan in consultation with TVC-II. At that stage, the question of permitting vending at a fixed place may be considered.



4. In view of the above, the learned counsel for the petitioner submits that the representation be kept pending and be considered at an appropriate stage. The learned counsel for the respondents has no objection to the same.
5. In view of the above, we dispose of the petition by directing that the petitioner shall not be interdicted or interfered with in carrying on its vending activities subject to the petitioner complying with the terms and conditions of the COV. The representation dated 20.09.2023 made by the petitioner [which is annexed at Annexure P-3] shall be considered by the concerned TVC at an appropriate stage.
6. The petition is disposed of in the aforesaid terms. All pending applications also stand disposed of.

**VIBHU BAKHRU, J**

**TARA VITASTA GANJU, J**

**MAY 31, 2024**

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*Click here to check corrigendum, if any*