



\$~8

*

+

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 12727/2023 CM APPL. 50196/2023

RAMESH KUMAR DWIVEDI

..... Petitioner

Through: Mr. Rajinder Kumar, Adv.

Versus

GOVERNMENT OF NCT OF DELHI AND ORS..... Respondents

Through: Mr. Ramesh Kumar Diwedi, Adv.
for R-1&3.

Mr. Sri Harsha Peechara, Ms.
Harshita Gupta, Mr. Akshat
Kulshreshtha & Mr. Shubham
Kumar Mishara, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

15.02.2024

%

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

- “A. Direct the Respondents not to dispossess or obstruct or disturb the Petitioners in carrying on his trade from his site i.e. In front of PCO Booth No.3, Between Shop No. 3 & 4, Mini Market, Opposite Babu Market, G-Avenue Road, Sarojini Nagar Market, Sarojini Nagar, New Delhi-110023 in terms of section 3(3) of the street vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 and;
- B. Direct the Respondents/Town Vending Committee to conduct the survey of the Petitioner within time bound manner and to issue certificate of vending in favour of the Petitioner as per the provisions of the Street Vendors (Protection of livelihood and regulation of Street Vending) Act 2014 and Street Vendor (Protection of Livelihood and Regulation of Street Vending) Rules, 2017 and The Government of National Capital Territory of Delhi Street Vendor



(Protection of Livelihood and Regulation of Street Vending) Scheme, 2019.”

2. The petitioner claims that he was selling permissible goods from a vending site described as “in front of PCO Booth No.3, Between Shop No. 3&4, Mini Market, Opposite Babu Market, G-Avenue Road, Sarojini Nagar Market, Sarojini Nagar, 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 thrown away his goods. He states that his 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. 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, 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 material 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 20.09.2023, 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 15, 2024

‘gst’

Click here to check corrigendum, if any