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

+ **W.P.(C) 9110/2024**

SURENDER KUMAR GUPTA

.....Petitioner

Through: Mr. Bharat Aggarwal, Mr. Arjun
Pandey & Mr. Rahul Kumar, Adv.

Versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents

Through: Mr. R. Varma & Ms. Aarushi Tikku,
Adv.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **08.07.2024**

CM Nos.37273/2024 & 37274/2024 (both for exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The applications are disposed of.

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3. Issue notice.
4. The learned counsel appearing for the respondents accept notice.
5. The petitioner is a street vendor and claims that he is carrying on vending activities from a site described as 'Gate No.4, Palika Bazar, New Delhi'. The petitioner's name also features in the list of 628 street vendors who were considered eligible for allotment of spaces in the NDMC area in the year 2012 for the purpose of carrying out vending activities.
6. The petitioner claims that he was forcibly removed from the vending site sometime during September-October, 2016 on the ground that the said site falls under 'No Vending/No Hawking' Zone in terms of the Urban Street Vendors Scheme, 2007 framed by the respondents. The petitioner further claims that he has been attempting to carry on vending activities from the said



site, but has not been permitted to do so.

7. The learned counsel appearing for the petitioner submits that the petitioner may now be permitted to vend at any other site.

8. The learned counsel appearing for the respondents does not dispute that the petitioner was an existing vendor in the year 2012. He also submits that other such vendors have been permitted to vend at other sites. He fairly states that if a representation is made by the petitioner to the said effect, the same would be considered and the respondents would indicate an alternate area from where the petitioner can carry on his vending activities. The respondents are bound down to the aforesaid statement made on their behalf.

9. Accordingly, the petitioner is at liberty to make a representation for an alternative site / area. If the said representation is made within a period of four weeks from date, the respondents shall consider the same and issue an appropriate communication within a period of four weeks thereafter.

10. The petition is allowed in the aforesaid terms.

VIBHU BAKHRU, J

SACHIN DATTA, J

JULY 08, 2024

‘gsr’

Click here to check corrigendum, if any