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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 9532/2024

SONU

.....Petitioner

Through: Mr. Aditya, Mr. Kailash Kr. Jha, Mr.
Dipak Raj and Mr. Anjani Kr. Mishra,
Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS...Respondents

Through: Mr. Aditya Chandra and Mr. Utakarsh
Bhanu, Advocates for R-1 and R-2.
Ms. Nasreen, Advocate for Mr.
Mohd. Irsad, ASC, GNCTD for R-3
to R-5.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

15.07.2024

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1. The petitioner is a street vendor and claims that he has been carrying on his vending activities, as a cobbler, on the Footpath, Bahadur Shah Jafar Marg, Near Pyare Lal Bhawan, A-Point, ITO, Central Zone, Ward-S-55, New Delhi (hereafter *the site*).
2. The petitioner prays that the respondents be directed not to obstruct the petitioner from carrying on his vending activities at the site. A certificate of vending (hereafter *CoV*) reflecting the area of vending as Central Zone, Ward-S-55 has been issued in favour of the petitioner. The petitioner further prays that the said *CoV* be amended to consider the petitioner in the category of a 'Stationary Street Vendor' instead of the category of 'others'.
3. In so far as the petitioner's prayer that the respondents be directed to consider him as a stationary street vendor is concerned, this Court is unable



to accede to the same. Admittedly, the petitioner has not been allocated any fixed site for carrying on his vending activities and it is also conceded that the petitioner does not carry on his vending activities from a temporary, semi-permanent or a permanent structure.

4. The learned counsel for the respondents also informs this Court that the CoV issued in favour of the petitioner is a temporary CoV and that a final CoV would be issued only after the survey is complete and the second town vending committee (hereafter *the TVC*) is constituted. The said certificate will duly reflect the classification of the street vendor in accordance with Section 6 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

5. The CoV issued to the petitioner expressly proscribes a street vendor from carrying on his vending activities from a fixed place for more than 30 minutes or such time as may be specified by the Town Vending Committee.

6. In the circumstances, we consider it apposite to direct that the respondents will not obstruct the petitioner from carrying on his vending activities subject to the same being carried on strictly in accordance with the terms of the CoV.

7. The present petition is disposed of in the above terms.

8. Needless to state, the petitioner's request for allocation of any fixed place or to be considered as a stationary street vendor, will be considered by the TVC at an appropriate stage.

VIBHU BAKHRU, J

SACHIN DATTA, J

JULY 15, 2024/r, dn