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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10375/2024**
NAJMA AND ORS

.....Petitioners

Through: Mr.Aditya, Mr.Dipak Raj, Ms Garima
Kumar, Mr Ayushman, Mr.Vinod
Kumar Rexwal, Mr.Abhishek Panchal
and Mr.Sourabh Jain, Advocates.

versus

COMMISSIONER OF POLICE AND ORS

.....Respondents

Through: Mr.Mohd Irshad, ASC, Ms.Nasreen,
Mr.Kunal Raj and Mr.Shailesh
Chauhan, Advocates for R1, R2 and
R5/GNCTD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **29.07.2024**

1. The petitioners (four in numbers) claiming themselves to be street vendors have filed the present petition, *inter alia*, praying that they be permitted to peacefully vend at their sites described as 'On the Footpath, Opposite RG Square Mall, IP Extension, Shahdara South Zone, Ward-19E' without any hindrance.
2. The petitioners have been issued the Certificate of Vending (COVs). The photocopies of the COVs issued to the petitioners have been placed on record, which mention their place of vending as 'Shahdara South Zone, Ward – 19E'.



3. Essentially, the petitioners are aggrieved by the terms and conditions of their COVs, in particular Clause No.11, which prohibits a mobile street vendor from carrying on vending activities from a fixed place for more than 30 minutes or such time as may be fixed by the Town Vending Committee (TVC).

4. Admittedly, the petitioners have not been allotted any site or fixed place for carrying on their vending activities. The petitioners are thus, required to be considered as mobile vendors.

5. In view of the above, no such direction can be issued to the respondents to permit the petitioners to carry on their vending activities permanently from any fixed site(s).

6. This Court is also informed that the COVs issued to the petitioners are interim COVs and the final COVs, which will record the classification of the street vendors in terms of Section 6 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereafter *the Act*) would be issued by the second TVC (**TVC-II**) which would be constituted and also include the representatives of the street vendors.

7. At the present stage, the petitioners are required to comply with the terms and conditions of their respective COVs.

8. In view of the above, we consider it apposite to direct that in the event the petitioners carry on their vending activities strictly in terms of the conditions of their COVs, they shall not be interdicted from doing so.

9. The petitioners have also made a representation dated 24.07.2024



(annexure P4), *inter alia*, praying that their category be decided in terms of Section 6 of the Act.

10. In this regard, we consider it apposite to direct the respondents to consider the representation of the petitioners at the appropriate stage. It is so directed.

11. The petition stands disposed of in the aforesaid terms.

VIBHU BAKHRU, J

SACHIN DATTA, J

JULY 29, 2024

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[Click here to check corrigendum, if any](#)