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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11146/2024 & CM APPL. 46048-46049/2024**
ASLAM

.....Petitioner

Through: Mr Abhishek Saxena, Mr Singh
Nishant Sanjay Kumar, Mr Vaibhav
Patel, Mr Saurav Dewal, Mr Munish,
Ms.Kamini Singh, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND OTHERS

.....Respondents

Through: Mr Umakant Mishra, ASC for R1 and
R2/MCD.
Mr Mohd Irsad, ASC, Ms Nasreen
and Mr Kunal Raj, Advocates for
R3/GNCTD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

12.08.2024

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1. Issue notice. The learned counsel for the respondents accept notice.
2. The petitioner is a street vendor – claiming that he is carrying on his vending activities from the site described as “*Near the Gate of Central Park which is situated at Central Park towards the Road Going to Rupa Dairy Krishna Nagar, which is situated at Shahadara South Zone Ward No. E-21*”
3. The petitioner claims that he has been vending cooked food and snacks from the given site, which is also mentioned in his Certificate of Vending (COV).
4. The COV issued to the petitioner expressly require a mobile vendor



not to vend from a particular place for more than thirty minutes or such other duration time as may be prescribed by the Town Vending Committee (TVC). The petitioner is essentially aggrieved by such condition. The petitioner has made the representation to the TVC and the Municipal Corporation of Delhi (MCD) and prays that directions be issued to the concerned authorities to decide his representation.

5. The learned counsel for the respondents submit that such representation would be decided by the Second TVC at an appropriate stage. They submit that at the present stage, the COV issued to the street vendors are interim COV and the final COV setting out their categories would be issued at a later date and in the meanwhile, the petitioner would be required to comply with the terms and conditions of the COV and not to carry on the vending activities from a fixed place for more than thirty minutes or such duration as may be prescribed by the TVC.

6. The learned counsel for the petitioner submits that he would be satisfied if the directions are issued to the respondents not to disturb the petitioner from carrying on the vending activities subject to the same being carried on in terms of the COV and further directions be issued that his representation be considered at an appropriate stage. The learned counsel for the respondents have no objection to the same.

7. In view of the above, the petitioner will not be disturbed or interdicted by the respondents from carrying on the vending activities provided the same are conducted in accordance with law and strictly in accordance with the terms and conditions of the COV. We also direct that the representation of the petitioner will be considered at an appropriate stage, as stated by the learned counsel for the respondents.



8. The petition stands disposed of in the aforesaid terms. Pending applications also stand disposed of.

VIBHU BAKHRU, J

SACHIN DATTA, J

AUGUST 12, 2024

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Click here to check corrigendum, if any