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

+ **W.P.(C) 16262/2023**

POOJA DEVI

..... Petitioner

Through: Mr Bharat Aggarwal and Ms
Namrata Sharma, Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL

& ANR.

..... Respondents

Through: Mr Sriharsha Peechara, Sanding
Counsel for NDMC with Ms
Harshita Gupta and Mr
Shubham Kumar Mishra,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **09.01.2024**

CM Nos.65483/2023 and 65514/2023

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

W.P.(C) 16262/2023

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

- a) Direct the Respondent No.1/TVC to not to dispossess or obstruct or disturb the petitioner in carrying on his trade from site i.e. Opp. Gate No.1, Babu Market, Sarojini Nagar Market in terms of section 3(3) of the street vendors (protection of livelihood and regulation of street vending) act 2014 and;
- b) Direct the Respondent no.1/TVC to conduct the survey of the petitioner within time bound manner and issue certificate of vending in favour of the



petitioner.

- c) Direct the Respondent No.1/TVC to decide the petitioner's representation dated 06/12/2023 in accordance with law."

4. In so far as the petitioner's prayer to include her in the survey is concerned, the learned counsel appearing for the respondents submits that in terms of paragraph 1.1.12 of the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019, all persons claiming to be street vendors would be provided an opportunity to submit the evidence in support of their claim that they were engaged in street vending. Learned counsel further submits that this would be irrespective of whether a street vendor has been found at the given site or not.

5. In view of the above statement, the petitioner's grievance regarding holding of the survey and for her representations to be considered, is addressed.

6. The petitioner also prays that she may not be disturbed from carrying on her trade from the site that is near Shop No. 196, Sarojini Nagar Market.

7. The learned counsel for the respondents state that there are large numbers of street vendors who are claiming that they are/were carrying on their trade in Sarojini Nagar Market. However, the said market cannot sustain the number of persons who have approached this Court. The learned counsel submit that the actual survey will determine whether the petitioner can be permitted to carry on his trade at the aforesaid site in the Sarojini Nagar Market.

8. In view of the above, we do not consider it apposite to pass any



orders to the said effect.

9. The petition is, accordingly, disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 9, 2024
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