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

+ **W.P.(C) 16413/2023**

RAJU

..... Petitioner

Through: **Mr Satish Kumar Tripathi,**
Advocate.

versus

**NEW DELHI MUNICIPAL COUNCIL TVC
& ORS.**

..... Respondents

Through: **Mr Chetanya Singh, Advocate**
for R-1 & 2/NDMC.
Ms Rachita Garg, Advocate for
SHO/GNCTD/R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

05.01.2024

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CM APPL. 66033/2023

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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

“a. admit the writ petition against the respondent.

b. Direct the TVC of NDMC to carry out and conduct the survey of the petitioner on the basis of document in his possession by newly constituted TVC of NDMC in a time bound manner as the per the mandate of Act, Rules and Scheme without any arbitrariness and colourable exercise of power and that the petitioner is not found vending at his vending place at the time of survey may not be sole ground to reject his candidature to the claim of his vending space.



- c. That direction may be issued against respondent No 2 & 3 that the petitioner may not be disturbed from the present vending site at (more particularly as mentioned in the Memo of Parties) as same does not falls under No hawking/ No Vending Zone till such time the TVC of NDMC will complete the exercise of proper verification and final allotment of vending site to him as per the provisions of the Act as petitioner is existing and verified street vendor.”

4. The learned counsel for the petitioner submits that the petitioner has been operating as a street vendor from a site opposite Shop No.59, Vegetable Market, Sarojini Nagar Market, New Delhi. He states that the description of the working site as stated in the memo of parties is erroneous. The petitioner, essentially, seeks that a survey be conducted and the petitioner be included on the basis of the documents in his possession as he has since been ousted from the working site.

5. The learned counsel for the respondents submits that the petitioner may make a representation to the Town Vending Committee (TVC) and the representation shall be considered in accordance with law.

6. In view of the above, no further orders are required to be passed.

7. The petition is, accordingly, disposed of.

8. The petitioner would be at liberty to make a representation to the TVC and his representation would be considered as assured by the learned counsel for the respondents.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 5, 2024
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