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

+ W.P.(C) 16414/2023 & CM No.66034/2023

RAJESH KUMAR

..... Petitioner

Through: Mr. Rajinder Kumar, Adv.

Versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents

Through: Mr. Anurag Nasir & Mr. Paripooran
Singh, Advs.

Mr. Sri Harsha Peechara, Mr. Jitender
Kumar Tripathi, Ms. Devika Mohan,
Ms. Harshita Gupta, Mr. Akshat
Kulshrestha & Mr. A.K. Mishra,
Advs. for NDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

19.01.2024

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1. The petitioner has filed the present writ petition, *inter alia*, praying that respondent no.2 (Town Vending Committee) be directed to conduct the survey of the petitioner in a time bound manner and issue a certificate of vending in favour of the petitioner.
2. The learned counsel appearing for the respondents submits that a survey will be held shortly and 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 evidence in support of their claim that they are/were engaged in street vending. He submits that this would be irrespective of whether a street vendor has been found at the given site.



3. In view of the above statement, the petitioner's grievance regarding holding of the survey as well as regarding issuance of certificate of vending, is addressed.
4. The petitioner also prays that he may not be disturbed from carrying on his trade from the site, that is Opposite Shop No.181, Sarojini Nagar Market, Sarojini Nagar, New Delhi-110023.
5. The learned counsel for the respondents states 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 submits 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.
6. In view of the above, we do not consider it apposite to pass any orders to the said effect.
7. The petition is disposed of. Pending application, if any, also stands disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 19, 2024
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