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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 12176/2024 CM APPL. 50654/2024 CM APPL. 50655/2024
RAM SAGAR SHARMAPetitioner

Through: Mr. Abhishek Saxena, Mr. Singh
Nishant Sanjay Kumar, Mr. Saurav
Dewal, Mr. Munish, Mr. Navdeep,
Mr. Rahul Marwah, Ms. Kamini and
Ms. Manisha Rachal, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND OTHERS

.....Respondent

Through: Mr. Umakant Mishra, ASC for MCD.
Mr. Arjun Mahajan, SC and Mr.
Apoorv Upamanyu, Adv. for MCD.
Mr. Sahaj Garg, SPC for R-2/UOI.
Mr. Divyam Nandrajog, Panel
Counsel and Mr. Fateh Singh Bhullar,
Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

02.09.2024

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1. Issue notice.
2. The learned counsel for the respondents accept notice.
3. 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*”.
4. The petitioner claims that he has been vending food and snacks without gas cylinder/fire from the given site.



5. The Certificate of Vending (COV) issued to the petitioner expressly requires a mobile vendor not to vend from a particular place for more than thirty minutes or such other duration as may be prescribed by the Town Vending Committee (TVC). The petitioner is, essentially, aggrieved by this condition. The petitioner has made a 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.

6. 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 COVs issued to the street vendors are interim COVs and the final COVs setting out their categories would be issued by the second TVC, which is to be constituted by including the elected representatives of the street vendors. 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.

7. The learned counsel for the petitioner submits that he would be satisfied if 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.

8. In view of the above, we direct that 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 be considered at an appropriate stage, as stated by the learned counsel for the respondents.

9. The petition is disposed of with the aforesaid directions. The pending application is also disposed of.

VIBHU BAKHRU, J

SACHIN DATTA, J

SEPTEMBER 02, 2024/cl