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

+ **W.P.(C) 22/2024**

RAMCHANDRA

..... Petitioner

Through: Mr. Ashok Kumar, Adv.

Versus

MUNICIPAL CORPORATION OF DELHI & ANR..... Respondents

Through: Ms. Shilpa Ohri, Adv.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

03.01.2024

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

“(i) Issue a Writ of Mandamus, order or direction in the nature thereof to the respondent to allow the petitioner to operate at his place of vending situated at Opposite Shop No.D-21, Subzi Mandi, J.J. Colony, Madanpur Khadar, New Delhi till final decision is taken by the Town Vending Committee after completion of the survey and also after consideration of the representation of the petitioner in accordance with the provisions of section 3 of The Street Vendors (Protection Of Livelihood and Regulation of Street Vending) Act 2014 read with the corresponding provisions of the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2017 and the Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019 in pursuant to the order dated 04.10.2023 passed by this Hon’ble Court in W.P. (C) No.9923/2023.”

2. The grievances articulated by the petitioner in the present petition are manifold. However, in essence, the petitioner is aggrieved by not being permitted to operate as a vendor at site opposite Shop no. D-21, Subzi



Mandi, J.J. Colony, Madanpur Khadar, New Delhi.

3. The petitioner claims that he has been evicted from the said space by one Dharmender Soni, his brother Upender Soni, father Chhote Lal and servant Mukesh Soni, who were allotted the aforesaid shop.

4. The petitioner claims that he is entitled to carry on vending on the footpath outside the aforesaid shop. He further states that he has filed various complaints against the aforesaid persons and the said complaints are pending adjudication before various authorities.

5. This Court is not required to examine the said complaints.

6. The petitioner also alleges that he has not been permitted to operate his vending site by the actions of the MCD officials and seeks redressal in this regard.

7. It is pointed out by the learned counsel appearing for the respondents that a petition [W.P.(C) No.9923/2023 captioned ***Ramchandra v. Government of NCT of Delhi & Ors.***] claiming a similar relief was filed earlier by the petitioner. The said petition was disposed of by an order dated 04.10.2023. The relief as sought for by the petitioner was not granted, however, this Court had issued directions to the Town Vending Committee (hereafter '**the TVC**') to consider the petitioner's representation dated 04.07.2023.

8. The learned counsel appearing for the respondents submits that the said representation is being considered by the TVC. She further submits that Certificate of Vending has not been issued to the petitioner and therefore, the petitioner cannot assert his right to occupy a fixed place for vending outside the shop.



9. In view of the above, we consider it apposite to dispose of the present petition by directing the TVC to decide the petitioner's representation as expeditious as possible and preferably within a period of two months from date.

10. No further orders are required to be passed in this petition.

11. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 3, 2024

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