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

+ W.P.(C) 12359/2024, CM Nos.51438/2024 & 51439/2024

SURENDER

.....Petitioner

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

Versus

MUNICIPAL CORPORATION OF DELHI & ORS.....Respondents

Through: Mr. Tajinder Viridi, Adv. for MCD.
Mr. Vivek Sharma, Adv. for R-2.
Mr. Divyam Nandrajog, Ms. Surbhi Soni & Mr. Fateh S. Bhullar, Advs. for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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04.09.2024

1. Issue notice.
2. The learned counsel for the respondents accept notice.
3. The petitioner claims that he is a street vendor and has filed the present petition, *inter alia*, praying that he be permitted to vend from his vending site described as 'Shahdara South Zone, Ward 16-E, situated at Near Akshardham Metro Station towards the road going Geeta Colony'.
4. The petitioner claims that he is vending food/snack with gas cylinder/fire from the said vending site. He has also been issued the Certificate of Vending (hereafter *COV*), which reflects the area of vending as Shahdara South Zone, Ward-16E.
5. The petitioner is, essentially, aggrieved by the condition of his *COV*



which requires mobile vendors not to carry on vending activities from a fixed place for more than thirty minutes or till such time as may be prescribed by the Town Vending Committee (TVC).

6. The petitioner contends that it is not feasible for him to relocate in every thirty minutes and has made representation to the Municipal Corporation of Delhi (MCD) as well as to the TVC.

7. This Court is informed that at the current stage the COVs issued to the street vendors are interim COVs and the final COVs – which would record the classification of the street vendors in terms of Section 6 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 – would be issued by the second TVC in conformity with the vending plan.

8. It is stated that since at the present stage no place has been allocated to the petitioner, the petitioner is required to be considered as mobile vendor.

9. The learned counsel for the petitioner submits that he would be satisfied if directions are issued to restrain the respondents from disturbing/obstructing the petitioner in carrying on vending activities in accordance with his COV and a further direction is issued for consideration of his representation at an appropriate stage.

10. The learned counsel for the respondents have no objection to the above relief.

11. In view of the above, we direct that the petitioner shall not be disturbed or obstructed from carrying on his vending activities, subject to the same being done strictly in accordance with law and in terms of his COV.



12. We also direct that the petitioner's representation be considered at an appropriate stage.

13. The petition is disposed of in the aforesaid terms. All pending applications also stand disposed of.

VIBHU BAKHRU, J

SACHIN DATTA, J

SEPTEMBER 04, 2024

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Click here to check corrigendum, if any