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

+ **W.P.(C) 468/2024 and CM APPL. 2109/2024**

OM PRAKASH

..... Petitioner

Through: None.

versus

MUNICIPAL CORPORATION OF DELHI

& ORS.

..... Respondents

Through: Ms Shilpa Ohri, Additional Standing
Counsel.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

29.01.2024

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1. None appears for the petitioner.
2. The petitioner claims that he runs a tea stall at a site which is located apposite Ghata Masjid, Daryaganj, Central Zone, Ward No. S-55, Delhi-110002. He has filed the present petition, *inter alia*, praying that the respondents be restrained from interfering with the said business.
3. The petitioner is not an authorised vendor and has not been issued any *tehbazari* license.
4. Ms Ohri, learned counsel appearing for the respondents submits that in the aforesaid circumstances, he has no right to carry on vending from a fixed establishment.
5. Admittedly, a survey was conducted. However, the Certificate of Vending (hereafter 'COV') has not been provided as yet. The COV is required to state the category in which a vendor falls in terms of Section 6 of the Street Vendors (Protection of Livelihood and Regulation of Street



Vending) Scheme, 2015. She states that the issuance of COV is likely to take some time. However, she has no instructions to state the definite period of time that it would take.

6. Considering that the petitioner has already participated in the survey, we consider it apposite to dispose of the present petition by directing the Town Vending Committee to issue an appropriate COV, if otherwise the petitioner is entitled to the same within a period of sixty days from date.

7. In the meanwhile, the petitioner would be at liberty to carry on its vending activities as a mobile vendor but not from a fixed place as claimed by him.

8. The petition is disposed of in the aforesaid terms. The pending applications are also disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 29, 2024
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