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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 12868/2024

MOHAMMAD SAGIR

.....Petitioner

Through: Mr. Aditya, Mr. Anjani Kr.
Mishra & Mr. Kailash Kr. Jha,
Advs.

versus

MUNICIPAL CORPORATION OF DELHI

AND ORS

.....Respondents

Through: Mr. Manoj Kumar Sharma,
ASC for R- 1 to 4.
Ms. Hetu Arora Sethi, ASC
with Mr. Prakhar Mani
Tripathi, Adv. for Resp./
GNCTD.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

16.10.2024

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1. This petition has been preferred seeking the following reliefs:

I. Pass an order declaring the action of the MCD to seize the goods of the petitioner as illegal and arbitrary.

II. Pass an order directing the respondents to release the goods of the petitioner seized by the MCD on 05.09.2024 from the vending site of the petitioner.

III. Pass an order directing the Commissioner, Municipal Corporation of Delhi, respondent no.1 to issue direction to all the zones of the MCD to follow the procedure laid down under the Street Vendors Act, 2014 and Street Vendors Scheme, 2019 for seizure of the goods of the street vendors.

IV. Pass an order directing the respondents to allow the petitioner to vend peacefully at his vending site i.e., on the footpath, beside Gate no. 7, G.B. Pant Hospital, City SP Zone, Ward-88-N without any disturbance as the petitioner is a disabled person.

V. Impose exemplary cost upon the respondent no. 3 & 4 for acting in violation of the Order passed by the Hon'ble High Court and for



seizing the goods of the petitioner in violation of the provisions of the Street Vendors Act, 2014 and Street Vendors Scheme, 2019

VI. Pass any such directions or order that this Hon'ble Court deems fit and proper in the facts and circumstances of the above-mentioned case."

2. The respondents have placed before us material to show that the petitioner had violated the terms and conditions of the Vending Certificate. We are informed that the licence had required the petitioner to be mobile and undertake stationary vending activity only for a period of 30 minutes. It is the violation of these conditions which seems to have led to the seizure of goods.

3. In view of the aforesaid, we find no ground to grant the relief as prayed. The writ petition is dismissed. This order, however, shall not preclude the petitioner from seeking return of the seized articles subject to an appropriate undertaking being furnished before the respondents.

YASHWANT VARMA, J.

RAVINDER DUDEJA, J.

OCTOBER 16, 2024/kk