



2024:DHC:7774-DB



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

+ **LPA 989/2024 & C.M.Nos.58319-58321/2024**

MAHESH KUMAR YADAV

.....Appellant

Through: Appellant in person.

versus

**THE STATE COMMISSIONER FOR PERSONS WITH
DISABILITIES NCT OF DELHI AND ORS**Respondents

Through: Ms.Hetu Arora Sethi, ASC for
GNCTD with Mr.Prakhar Mani
Tripathi, Advocate.
Mr.Sriharsha Peechara, standing
counsel with Mr.Akshat Kulshrestha,
Mr.D.S.Bhanu and Ms.Arsheiya
Munjal, Advocates for NDMC.

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Date of Decision: 04th October, 2024

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

MANMOHAN, ACJ : (ORAL)

1. Present appeal has been filed challenging the order dated 08th August, 2024 passed by learned Single Judge in W.P.(C) 10358/2024 whereby learned Single Judge disposed of the petition on the ground that the appellant's representation dated 15th April, 2024 has been decided by respondent no.1 *vide* communication dated 02nd May, 2024.

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2. The appellant who appears in person states that he is an old street vendor squatting since the year 1998 at Janpath Market, Near Indian Oil Building, Janpath, Connaught Place, New Delhi. He states that in 2007, he applied for allotment of Tehbazari/vending site under the Urban Street Vendor Scheme, 2007 framed by NDMC. He states that the vending site of the appellant was removed by NDMC in 2016.
3. He states that on 07th October, 2020, he had filed a writ petition bearing W.P. (C) 9795/2020 with the grievance that while the appellant is not being allowed to carry out the activities of hawking and vending on the ground that only the old tehbazari, Thareja tehbazari and those who have been identified and are 628 in numbers would be permitted, others (namely respondent nos.3 to 7 herein) who do not fall within the said lists, are being permitted to hawk and vend in the area of Janpath lane near Indian Oil Building. He states that NDMC in the counter-affidavit filed in W.P. (C) 9795/2020 stated that respondent nos.3 to 7 are differently-abled and are vending at the sites in question in pursuance to the permission being granted by the State Commissioner of Disabilities vide order dated 27th July, 2017.
4. He states that he has filed a representation/application dated 15th April, 2024 challenging the order dated 27th July, 2017 passed by the State Commissioner for Persons with Disabilities i.e. respondent no. 1. He emphasizes that respondent nos.3 to 7 cannot be granted vending sites in the area of Janpath lane near Indian Oil Building.
5. This Court is of the view that the appellant has no *locus* to challenge the order dated 27th July, 2017 passed by the State Commissioner for Persons with Disabilities.



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6. Further since the appellant's prayer for direction to respondent no.1 to decide his representation dated 15th April, 2024 has been fulfilled, nothing remains to be adjudicated in the present appeal.
7. Accordingly, the present appeal along with the applications is dismissed.

CHIEF JUSTICE

TUSHAR RAO GEDELA, J

**OCTOBER 04, 2024
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