



\$~50

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

+ **W.P.(C) 15419/2024, CM APPL. 64652/2024 (Interim Relief)**

KAMLA DEVI

.....Petitioner

Through: Mr. N.K. Sahoo, Adv.

versus

NEW-DELHI MUNICIPAL COUNCIL AND ORS

.....Respondents

Through: Mr. R.K. Dhawan, SC with Ms.
Nisha Dhawan, Mr. Vinod K.
Teng and Mr. Naman Kumar
Thakur, Advs.
Ms. Shagun Shahi Chugh, Adv.
for R-3/UOI.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

%

05.11.2024

CM APPL. 64653/2024 (Ex.)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 15419/2024, CM APPL. 64652/2024 (Interim Relief)

1. The writ petitioner undoubtedly was a party to W.P.(C) 13589/2021 which came to be dismissed on 09 September 2024 with the Court observing as follows:-

“10. The areas of Indira Chowk and Rajiv Chowk have been declared a no-vending and no-hawking zone by NDMC in terms of the Scheme framed in the year 2007. The said Scheme is required to be adhered to, till a fresh vending plan is prepared in terms of Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereafter *the Act of*



2014). This issue was also settled by a Coordinate Bench of this Court in ***Vyapari Kalyan Mandal Main Pushpa and Anr. v. South Delhi Municipal Corporation and Ors.: 2017 SCC OnLine Delhi 8962*** and followed in ***Veer Singh v. The Chairman NDMC and Ors.: W.P.(C) 10944/2022***.

11. It is also material to note that the petitioners have not produced any material to establish that they were carrying on their vending activities in the given area. It is also material to note that apart from the persons with disabilities [petitioners in W.P.(C) 12643/2021], and *tehbazari* holders, who are permitted to vend in the areas of Indira Chowk and Rajiv Chowk; all other unauthorised vendors were removed in the year 2016.

12. In view of the above, we are unable to accede to the prayers made in the present petition.

13. However, it is clarified that this order will not preclude the petitioners from participating in the survey to be conducted in terms of the Act of 2014 and participating in allocation of *tehbazari* licences. ”

2. In view of the aforesaid, we find no justification to entertain the writ petition. It shall stand dismissed.

YASHWANT VARMA, J.

RAVINDER DUDEJA, J.

NOVEMBER 05, 2024/RW