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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8513/2023, CM APPL. 32410/2023**
RAJU SINGHPetitioner

Through: Mr. Satish Kumar Tripathi, Advocate
with Petitioner-in-person.

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.Respondents

Through: Mr. Sri Harsha Peechara, Standing
Counsel with Mr. Akshat
Kulshreshtha and Mr. D. S. Bhanu,
Advs. for R-/1 NDMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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23.01.2025

1. The petitioner has filed the present petition, *inter alia*, praying to issue directions to respondent No. 3 / Town Vending Committee (TVC) to conduct the survey strictly as per the mandate of The Street Vendor (Protection of Livelihood and Regulation of Street Vending) Act, 2014, Rules and Scheme made thereunder. Petitioner prays that the Chairperson of the TVC be directed to also publish the general criteria for conducting the survey.
2. Petitioner also prays that in the meantime, he may not be disturbed for carrying on his vending activities in front of Shop No. 137 (near STD Booth), Sarojini Nagar Market, New Delhi.
3. The petitioner's name finds mention in the list of 628 eligible street vendors that was prepared in the year 2012. The said list was prepared at the material time for allocating spaces (386 allocating sites) to eligible street vendors. Thus it is not disputed that at that material time the petitioner was



carrying on vending activities. The petitioner's name also finds mention in the list, which was prepared in the year 2007 at S. No. 3169. The same reflects petitioner's vending site as H.No.137 Sarojini Nagar Market, New Delhi.

4. The petitioner has also placed on record various challans, which indicate that he is carrying on vending activities from Sarojini Nagar Market, New Delhi.

5. The learned counsel appearing for NDMC submits that although the petitioner was carrying on vending activities, but he was not found during survey conducted in the year 2018. He also submits that the challans placed on record do not reflect that the petitioner's vending site is in front of Shop No. 137 (near STD Booth), Sarojini Nagar Market, New Delhi.

6. It is apparent from the material on record that the petitioner has been carrying on his vending activities, which as noted above, is duly established by the copies of the challans produced by the petitioner. This coupled with the fact that his name is mentioned in the list of 628 eligible street vendors, indicates that petitioner is a *bona fide* street vendor.

7. NDMC, has as an interim measure, permitted all such street vendors similarly placed as the petitioner, to carry on their vending activities.

8. In view of the above, we consider it apposite to direct the respondents not to interdict the petitioner from carrying on his vending activities at the given site – in front of Shop No. 137 (near STD Booth), Sarojini Nagar Market, New Delhi. However, this is subject to the petitioner ensuring that he carries on his vending activities according to the norms established, that is, open to sky and from space measuring 6 x 4 feet.

9. It is clarified that this arrangement is only an interim measure till the survey is conducted and a vending plan is prepared in accordance with The



Street Vendor (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

10. In so far as the petitioner's prayer that a survey be conducted in accordance with the said Act, this Court is informed that the respondents are taking steps for ensuring that the survey is completed expeditiously. In this view, we do not consider it apposite to pass any further orders in this regard.

11. Petition is disposed of in the aforesaid terms. Pending applications are also disposed of.

VIBHU BAKHRU, J.

ANOOP KUMAR MENDIRATTA, J.

JANUARY 23, 2025/R

Click here to check corrigendum, if any