

(2023) 05 DEL CK 0524

In the Delhi High Court

Case No : Civil Writ Petition No. 5950 Of 2023, Civil Miscellaneous Application
No. 23361 Of 2023

Sukhdev

APPELLANT

Vs

Govt. Of Nct Of Delhi & Ors.

RESPONDENT

Date of Decision : 08-05-2023

Acts Referred:

Constitution of India, 1950 — Article 226
Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014,
— Section 3

Citation : (2023) 05 DEL CK 0524

Hon'ble Judges : Siddharth Mridul, J; Talwant Singh, J

Bench : Division Bench

Advocate : Ram Narayan Singh, Abhinav Garg, Mihir Gujjewar, Arjun Narang,
Harsha Peechara, Harshita Gupta

Final Decision : Disposed Of

Judgement

Siddharth Mridul, J

1. The present writ petition under Article 226 of the Constitution of India, has been instituted on behalf of the petitioner, praying as follows:-

"A. Direct the Respondents not to dispossess or obstruct or disturb the Petitioners in carrying on his trade from his site i.e. Near IOB, Janpath Bus Stand, Police Booth, Janpath Market, New Delhi, in terms of section 3(3) of the street vendors {Protection of Livelihood and Regulation of Street Vending} Act 2014 and;

B. Direct the Respondents/Town Vending Committee to conduct the survey of the Petitioner within time bound manner and to issue certificate of vending in favour of the Petitioner as per the provisions of the Street Vendors {protection of livelihood and regulation of street vending} Act 2014.

Any other relief which this Hon'ble Court may deem fit and proper, may be

granted in favour of the Petitioner, keeping in view overall facts and circumstances and also in the interest of justice.”

2. Learned counsel appearing on behalf of the petitioner, limits the relief in the present writ petition, to approach the duly constituted Town Vending Committee (TVC), at the first instance, in relation to the prayer clause (b) of the present writ petition; and to consider the petitioner’s representation dated 10.04.2023, which is annexed as Annexure P-4, at the time the TVC carry out the subject survey, in accordance with law.

3. Having regard to the facts and circumstances attendant in relation to the present writ petition and having heard learned counsel appearing on behalf of the parties; we dispose of the present writ petition, with a direction to the Town Vending Committee, to determine the petitioner’s representation dated 10.04.2023, in accordance with law, at an appropriate stage.

4. No further relief is prayed for.

5. The writ petition is disposed of accordingly. The pending application also stands disposed of.

6. A copy of this judgment be uploaded on the website of this Court.