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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 3061/2024**  
**NASIRUDDIN SIDDIQUE**

..... Petitioner  
Through: Mr.Varun Singh, Ms.Kajal S Gupta,  
Ms.Somesa Gupta, Mr.Ytharth  
Kumar and Ms.Himanshe Yadav,  
Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI & ORS.**

..... Respondents  
Through: Ms.Shilpa Ohri, ASC.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**HON'BLE MS. JUSTICE TARA VITASTA GANJU**

**ORDER**

**29.02.2024**

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**CM APPL. 12589/2024**

1. For the reasons stated in the application, same is allowed.
2. The application stands disposed of.

**CM APPL. 12586/2024 CM APPL. 12588/2024**

3. Exemptions are allowed, subject to all just exceptions.
4. The applications stand disposed of.

**W.P.(C) 3061/2024 & CM APPL. 12587/2024**

5. The petitioner has filed this present petition, *inter alia*, praying as  
under: -

“a. Issue an appropriate writ, order and/ or direction  
allowing the Petitioner to carry of the business as  
Street Vendor peacefully and in accordance with the  
terms and conditions of his Certificate of Vending,

without any illegal interference from the Respondent authorities;

b. Issue an appropriate writ, order and/ or direction against the Respondent No. 3 and 4 from abusing their power and prohibiting Respondent No. 3 and 4 from continuously harassing the Petitioner;

c. Issue an appropriate writ, order and/or direction against Respondent no. 3 and 4 to restrain the said Respondents from unlawfully confiscating the goods of the Petitioner, in view of the fact that the Petitioner herein is conducting his street vending business as per the terms and conditions of the Certificate of Vending;

d. Direct the Respondent no. 1 and 2 to release the goods of the Petitioner i.e., 150 bags worth Rs.38,000/- that were unlawfully confiscated on 22.09.2023;

Any other order which this Hon'ble Court may deem fit in the facts and circumstances of the case may also be passed."

6. Issue notice.

7. Learned counsels appearing on behalf of the respondents accept notice.

8. In so far as the prayer (a) of the petition is concerned, the learned counsel appearing on behalf of the respondents states that the petitioner shall not be disturbed from carrying on vending activities, provided it is done strictly in compliance with terms of the Certificate of Vending (COV).

9. In so far as the prayer qua the release of goods is concerned, it is disputed whether the process as required under the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 or Delhi Municipal Corporation Act, 1957, was followed or not. According to the learned counsel for the respondents, no notice could be issued to the

street vendors who have virtually abandoned the spot. However, he submits that videography was done. Let the counter-affidavit to this effect be filed by the respondent within two weeks from date. The counter-affidavit shall include the copy of the videography conducted during seizure of the goods in question.

10. List on 08.04.2024.

**VIBHU BAKHRU, J**

**TARA VITASTA GANJU, J**

**FEBRUARY 29, 2024**

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*Click here to check corrigendum, if any*