

\$~S-34

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 3912/2023 and CM APPL. 15255/2023 (for interim relief)

RAM MANOHAR VERMA ..... Petitioner  
Through: Mr. Varun Singh, Ms. Smriti Wadhwa, Mr. Ytharth Kumar, Ms. Alankriti, Ms. Kajal Gupta and Mr. Himanshu, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.  
..... Respondents  
Through: Mr. Vikas Chopra, Advocate for R-1/MCD.  
Mr. Shiven Varma and Ms. Ananya Kanoria, Advocates for R-2 & R-3 with S.I. Satish Kumar.

CORAM:  
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL  
HON'BLE MR. JUSTICE TALWANT SINGH

**ORDER**  
28.03.2023

%

**CM APPL. 15256/2023 (Exemption)**

Exemption allowed, subject to all just exceptions.

The application is disposed of accordingly.

**W.P.(C) 3912/2023**

The present writ petition under Article 226 and 227 of the Constitution of India, has been instituted on behalf of the petitioner, praying as follows:-

“It is, therefore, most respectfully and humbly prayed from this Hon’ble Court that this writ petition may please be allowed. It is further prayed that this Hon’ble Court may:

a) Issue appropriate writ, order and/or direction against Respondent No. 3 for abusing his power and prohibiting Respondent No. 3 from continuously harassing the Petitioner.

b) Issue appropriate writ, order and/or direction allowing the Petitioner to carry the business as Street Vendor peacefully and in accordance with law, without any illegal interference from the Respondent authorities.

c) Issue appropriate writ, order and/or direction directing Respondent No.3 to return the business items to the Petitioner which is illegally been taken in custody.

d) Any other order which this Hon’ble Court may deem fit in the facts and circumstances of the case may also be passed.”

Issue notice.

Mr. Vikas Chopra, learned counsel accepts notice on behalf of the respondent No. 1 and Mr. Shiven Varma, learned counsel accepts notice on behalf of the respondent Nos. 2 and 3.

Learned counsel appearing on behalf of the MCD, has handed-up in the Court today, the terms and conditions, permitting the petitioner to vend. Let the same be taken on the record.

It is an admitted position that pursuant to the survey carried by the Town Vending Committee-1, Mr. Ram Manohar Verma has been issued a certificate of vending dated 07.11.2021, URI 5159706, which is annexed as Annexure P-5, to the present writ petition.

In view of the foregoing, learned counsel appearing on behalf of the petitioner, limits the relief in the present writ petition, to a direction to the Municipal Corporation of Delhi, to permit Mr. Ram Manohar

Verma to continue to vend within **City-SP Zone, Ward-84-N**, strictly in compliance with the terms and conditions of the said certificate of vending and in accordance with law.

In view of the foregoing, the present writ petition is partly allowed; and the Municipal Corporation of Delhi is directed to permit Mr. Ram Manohar Verma, to vend within **City-SP Zone, Ward-84-N**, subject to the terms and conditions of the said certificate of vending dated 07.11.2021; and in particular, Condition No. 11 thereof, without let or hindrance.

Needless to state that the petitioner will be at liberty to articulate any difficulties faced by him, before the appropriate authorities, in accordance with law, in relation to the certificate of vending, insofar as it employs the expression '*Others*'.

No further directions are prayed for.

With the above directions, the writ petition is disposed of accordingly. The pending application also stands disposed of.

A copy of this order be uploaded on the website of this Court.

**SIDDHARTH MRIDUL, J**

**TALWANT SINGH, J**

**MARCH 28, 2023/rs**

*Click here to check corrigendum, if any*