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

+ **W.P.(C) 425/2025**

ASHOK KUMAR YADAV

.....Petitioner

Through: Mr. R. Rao, Mr. Pallav Gupta, Mr.
Akshit, Mr. Ayan Sharma & Mr.
Yashasvi Yadav, Advs.

Versus

MUNICIPAL CORPORATION OF DELHI & ORS.....Respondents

Through: Ms. Beenashaw Soni & Ms. Mansi
Jain, Advs. for MCD.
Mr. Udit Malik, Ms. Rima Rao & Ms.
Palak Sharma, Advs.
Mr. Hemant Kumar Yadav, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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31.01.2025

CM No.2103/2025 (for exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying as under:

- a. Direct the Respondent No.1 and 2 to remove the unauthorized and illegal constructions/encroachments on the Railway Road, Village Samaypur, Delhi, connecting the G.T. Karnal Road (National Highway) and the Samaypur Badli Railway Station/Metro Station and ensure that its width of 24 metres as per Government Records is maintained; and/or
- b. Direct the Respondent No.1 and 2 to remove the unauthorized and illegal vendors/hawkers laying their fruits/vegetable stalls on Railway Road, Village Samaypur, Delhi, connecting the G.T. Karnal Road (National Highway) and the Samaypur Badli Railway Station/Metro Station; and/or



- c. Direct the Respondent No.1, 2 and 3 to restrain the fruits/vegetables vendors/hawkers from setting up unauthorized stalls on Railway Road, Village Samaypur, Delhi, connecting the G.T. Karnal Road (National Highway) and the Samaypur Badli Railway Station/Metro Station; and/or”
4. The petitioner is essentially aggrieved by the encroachment on the Railway Road, village Samaypur, Delhi, connecting the G.T. Karnal Road (National Highway) and the Samaypur Badli Railway Station/Metro Station. The petitioner has also with this petition annexed photographs indicating that pavement has been completely usurped by street vendors thereby compelling the pedestrians to use the road leading to congestion on the given stretch of the road.
5. It is not disputed that street vending in such a manner is impermissible and street vendors are required to ensure that the Right of Way (ROW) is not obstructed in any manner.
6. Ms. Soni, the learned counsel appearing for the MCD states that regular drives are undertaken to remove the street vendors, however, removing them on a day-to-day basis is required to be done by the concerned police authorities. She seeks time to file a status report.
7. Let the same be filed within a period of two weeks from date. In the meanwhile, the respondent no.3 is also directed to file the status report regarding the steps taken for ensuring that ROW is maintained free from encroachment.
8. List on 11.03.2025.

VIBHU BAKHRU, J

TUSHAR RAO GEDELA, J

JANUARY 31, 2025

‘gsr’

[Click here to check corrigendum, if any](#)