

ITEM NO.2

COURT NO.6

SECTION X

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.No. 1 in I.A. No. 407 in W.P.(C) No. 1699/1987

PATRI VYAPAR MANDAL DELHI (REGD)

Petitioner(s)

VERSUS

M.C.D. TOWN HALL & ORS.

Respondent(s)

(For permission to file application and directions)

WITH

I.A.No.1 in I.A. No. 394 in I.A. No. 356 in WP(C) No. 1699/1987

HAWKERS WELFARE COMMITTEE THR. ITS PRESIDENT

Petitioner(s)

VERSUS

ASHOK NIGAM

Respondent(s)

(For directions)

CONTEMPT PETITION (CIVIL) No.323/2007 in WP(C) No. 1699/1987

PRAMOD KUMAR & ORS.

Petitioner(s)

VERSUS

M.C.D. & ORS.

Respondent(s)

S.L.P.(C) No. 17472/2005

SIYA RAM & ORS.

Petitioner(s)

VERSUS

U.O.I. & ORS.

Respondent(s)

(With application for directions and office report)

I.A. Nos.204-206 & I.A.No.210 in C.A. No.560/1998

SODAN SINGH

Petitioner(s)

VERSUS

N.D.M.C. & ORS.

Respondent(s)

(For directions and impleadment and appln. for direction and office report)

I.A. No. 366 in W.P.(C) No. 1699/1987

RAM SWAROOP & ORS.

Petitioner(s)

VERSUS

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M.C.D. & ORS.

Respondent(s)

(For directions)

I.A. No. 367 in W.P.(C) No. 1699/1987

RAJ KUMAR GHAI

Petitioner(s)

VERSUS

M.C.D. & ORS.

Respondent(s)

(For directions)

CONTEMPT PETITION (CIVIL) No. 126/2001

HAWKERS WELFARE COMMITTEE VERSUS S.P. AGGARWAL & ANR.	Petitioner(s) Respondent(s)
I.A. No. 361 in W.P.(C) No. 1699/1987	
HAWKERS WELFARE COMMITTEE VERSUS M.C.D. & ORS. (For directions)	Petitioner(s) Respondent(s)
I.A. Nos. 372-373 in W.P.(C) No. 1699/1987	
HAWKERS WELFARE COMMITTEE VERSUS M.C.D. & ORS. (For directions)	Petitioner(s) Respondent(s)
(ALONG WITH THE RECORD OF CONTEMPT PETITION (C) NO. 187/2000)	
I.A. No. 389 in W.P.(C) No. 1699/1987	
HARBHAJAN SINGH BEDI VERSUS M.C.D. & ORS. (ALONG WITH RECORD OF I.A.NO.356)	Petitioner(s) Respondent(s)
I.A. No. 392 in W.P.(C) No. 1699/1987	
SHRI PRAMOD KUMAR & ANR. VERSUS ASSISTANT COMMISSIONER, MCD & ANR. (For directions)	Petitioner(s) Respondent(s)
I.A. No..... in W.P.(C) No. 1699/1987	
RAM MOHAN GAUTAM	Petitioner(s)
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VERSUS STATE THROUGH SECRETARY, DELHI ADMN. (For interim relief)	Respondent(s)
WITH	
W.P.(C) No. 535/2001	
RAJ KARAN VERSUS MUNICIPAL CORPORATION OF DELHI & ANR. (With office report)	Petitioner(s) Respondent(s)
W.P.(C) No. 240/2004	
VIJAY PANDEY & ORS. VERSUS M.C.D. & ORS. (With appln. for ex-parte stay and office report)	Petitioner(s) Respondent(s)
I.A. Nos. 397-398 in W.P.(C) No. 1699/1987	
OM PAL ETC. VERSUS ASSISTANT COMMISSIONER, MCD & ANR. (For directions)	Petitioner(s) Respondent(s)
I.A. No. 399 in I.A. No. 394 in W.P.(C) No. 1699/1987	

SUDHIR MADAN & ORS. Petitioner(s)
VERSUS
M.C.D. & ORS. Respondent(s)
(For modification of Court's order dated 09.08.2004)

I.A. Nos. 1-2 in W.P.(C) No. 100/2002

NEW LAJPAT RAI MARKET PATRI HAWKERS UNION Petitioner(s)
VERSUS
MUNICIPAL CORPORATION OF DELHI & ORS. Respondent(s)
(For directions and exemption from filing O.T.)

I.A.No..../2005 in I.A.No. 394 in I.A.No. 356 in W.P.(C) No. 1699/1987

NAND KISHORE & ANR. Petitioner(s)
VERSUS
M.C.D. & ORS. Respondent(s)
(For impleadment)

I.A.No..../2005 in I.A.No. 394 in I.A.No. 356 in W.P.(C) No. 1699/1987

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NAND KISHORE & ANR. Petitioner(s)
VERSUS
M.C.D. & ORS. Respondent(s)
(For modification)

I.A. No.400 in W.P.(C) No. 1699/1987

SH. SANTOSH KUMAR Petitioner(s)
VERSUS
M.C.D. & ORS. Respondent(s)
(For direction)
WITH

I.A. No.401 in I.A. No. 396 in C.P. No. 506/2002

M/S. CHANDINI CHOWK HAWKERS ASSOCIATION (REGD.) Petitioner(s)
VERSUS
RAKESH MEHTA & ORS. Respondent(s)
(Appln. for modification of Order dt. 25.08.2005)

WITH
I.A. No..... in C.P. No. 506/2002

CHANDINI CHOWK SER VYAPAR MANDAL
Petitioner(s)
VERSUS
RAKESH MEHTA & ORS. Respondent(s)
(For direction/modification)

I.A. No.402 in W.P.(C) No. 1699/1987

PRESIDENT, DELHI HAWKERS MAULIK ADHIKAR
SURAKSHA MANCH Petitioner(s)
VERSUS
M.C.D. & ORS. Respondent(s)
(For direction to initiate proceedings under Sec.340 CrI.P.C.)

WITH
W.P.(C) No. 414/2006

BOORI Petitioner(s)
VERSUS
STATE OF DELHI & ANR. Respondent(s)
(With office report)

WITH

I.A. No.403 in W.P.(C) No. 1699/1987

MANUSHI SANGHATHAN
VERSUS

Petitioner(s)

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M.C.D. & ORS.
(For intervention)

Respondent(s)

WITH
I.A. No.404 in W.P.(C) No. 1699/1987

NATIONAL ASSOCIATION OF STREET VENDORS
VERSUS

Petitioner(s)

M.C.D. & ORS.
(For intervention)

Respondent(s)

WITH

I.A. No.406 in W.P.(C) No. 1699/1987

MINISTRY OF HOUSING & POVERTY ALLEVIATION, NEW DELHI
VERSUS

Petitioner(s)

M.C.D. & ORS.
(For impleadment)

Respondent(s)

WITH

I.A. Nos.408-409 in W.P.(C) No. 1699/1987

SELF EMPLOYED WOMEN'S ASSOCIATION
VERSUS

Petitioner(s)

M.C.D. & ORS.
(For intervention and directions)

Respondent(s)

Date: 23/04/2008 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s)/Applicant(s)
Respondent(s)

Ms. Kavita Wadia,Adv.

Mr. Rakesh K. Khanna, Sr.Adv.
Mrs. Rashmi Khanna,Adv.
Mrs. Shailja Sinha,Adv.
Mr. Pranav Gyas,Adv.
Mr. Surya Kant,Adv.

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Ms. Anne Choudhary,Adv.
Mr. N.K. Sahid,Adv.
Ms. Asha G. Nair,Adv.
Mr. Suresh Chandra Tripathy,Adv.

Mr. M.M. Kashyap,Adv.
Ms. Chitra Lekha Sen,Adv.

Ms. Madhu Moolchandani,Adv.

for Mr. P.H. Parekh, Adv.
M/s. P.H. Parekh & Co., Advs.

Mr. S.N. Pandey, Adv.
Mr. Chander Shekhar Ashri, Adv.

Mr. S.K. Sinha, Adv.

Mr. Subramonium Prasad, Adv.

Mr. Mohan Pandey, Adv.
Mr. S.C. Patel, Adv.

Mr. Balraj Dewan, Adv.

Mr. Varinder Kumar Sharma, Adv.

Ms. Prasanthi Prasad, Adv.

Ms. Gouri Karuna Das, Adv.
Ms. Anu Gupta, Adv.
Mr. Sanjay M. Tripathi, Adv.
Ms. Rani Jethmalani, Adv.

Dr. S.K. Verma, Adv.

Mr. Shakeel Ahmed, Adv.

Ms. Kanini Jaiswal, Adv.

Mr. Prashant Bhushan, Adv.

Mr. V.K. Verma, Adv.

Mr. T.V. George, Adv.

Ms. Indra Sawhney, Adv.

Mrs. Kiran Bhardwaj, Adv.
Mr. B.K. Prasad, Adv.

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Mr. Ashok Bhan, Adv.
Mr. S. Wasim A. Qadri, Adv.
Mr. D.S. Mahra, Adv.
Mrs. Anil Katiyar, Adv.

Mr. S. Wasim A. Qadri, Adv.
Ms. Varuna Bhandari Gugnani, Adv.
Mr. D.S. Mahra, Adv.

Mr. Sanjiv Sen, Adv.
Mr. Praveen Swarup, Adv.

for Mr. Vikas Mehta, Adv.
Ms. Indu Malhotra, Adv.

Mr. S.C. Patel, Adv.

Mr. Ranjan Narain, Adv.

for Ms. Aruna Mathur, Adv.
M/S. Arputham, Aruna & Co., Advs.

Mr. Shiv Kumar, Adv. (A.C.)
Ms. Usha Kumar, Adv.
Mr. K.K. Mohan, Adv.

UPON hearing counsel the Court made the following
ORDER

Having heard the learned counsel for the parties, we direct that the matter relating to identification of sites by the Ward Vending Committee may be completed by 31st May, 2008. The Ward Vending Committee shall thereafter take up the matter relating to allotment of sites and also grant of possession thereof. We hope and trust that the said exercise shall be completed by 31st August, 2008.

If any person is aggrieved by or dissatisfied with the decision of the Ward Vending Committee, indisputably, he would be entitled to prefer an appeal before the Zonal Vending committee and if still dissatisfied, before the Tribunal constituted for the purpose. We have been assured by Mr. Sanjiv Sen, learned counsel appearing on behalf of Municipal Corporation of Delhi, that the aforementioned

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three-tier Committees have started functioning and they have been provided with the requisite infrastructure.

Some applications have been filed before us contending that some squatters have been dispossessed. The said squatters may file appropriate applications, together with relevant documents, before the Ward Vending Committee. The said Committee is requested to go into the aforementioned applications and allot them some sites and grant possession thereof on provisional basis which would be subject to final allotment to be made by the said Committee. Each of these squatters who are provided new sites on provisional basis, must furnish an undertaking stating therein that upon being allotted new sites, they shall vacate the old sites within the period fixed by the said Committee.

In the event, anybody is dissatisfied with the decision of the Ward Vending Committee, he may prefer an appeal before the Zonal Vending Committee.

Put up in the month of September, 2008. Liberty to mention. Response to the affidavit filed by the MCD, if any, may be filed in the meantime.

(A.S. BISHT)
COURT MASTER

(P.S. TYAGI)
COURT MASTER