

Item No. 5, 7, 8 and 15 to 17

% 29.06.2011

Present: Mr. M.R. Singh, Counsel for the petitioner in WP (C) No. 4510/2011 & 4511/2011
Mr. Anand Shailani, Advocate for petitioners in WP(C) No. 4498/2011, 4500/2011 & 4501/2011
Mr. Vinod Kumar, Advocate for respondent/NDMC
Ms Zubeda Begum, Advocate for respondent/police.

+WP(C) No.4498/2011

+WP(C)No.4500/2011

+WP(C)No.4501/2011

+WP(C)No.4509/2011

+WP(C)No.4510/2011

+WP(C)No.4511/2011

Notice. Notice of the petitions is accepted by counsels for the respondents.

With the consent of the parties, the above petitions have been heard finally and are being disposed of altogether.

All these petitions are filed by the petitioners wherein they have claimed to be squatters/ hawkers at the sites mentioned hereunder:

Serial No.	Name of the Petitioner	Writ Petition No.	Address of Site
01.	Radhey Shyam	WP(C) No. 4498/2011	Near Campa Cola Factory, Shivaji Bridge, Connaught Place, New Delhi.
02.	Vishnu Dayal	WP(C) No.	Side Wall of Shop

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	Aggarwal	4500/2011	No. 36, Sarojini Nagar Market, New Delhi.
03.	Yash Pal	WP(C) No. 4501/2011	Shop No. 36, Sarojini Nagar Market, New Delhi.
04.	Kishan Chander	WP(C) No. 4509/2011	Gate No. 3, Palika Bazar, Connaught Place, New Delhi.
05.	Pradeep	WP(C) No. 4510/2011	Gate No. 3, Palika Bazar, Connaught Place, New Delhi.
06.	Vinod Kumar	WP(C) No. 4511/2011	Gate No. 3, Palika Bazar, Connaught Place, New Delhi.

They have alleged that the respondents are in the process of disturbing/ dispossessing them from their squatter/ hawker sites. They have also averred that their names are in the eligibility list for being allotted alternate sites by respondent no.1/NDMC.

Learned counsel for the respondent no.1 states that NDMC is in the process of finalizing allotment by draw of plots of squatters/ hawkers in the area of NDMC. He has, however, stated that the name of petitioner Kishan Chander in W.P.(C) No.4509/2011 is not mentioned in the list of eligible squatters for the allotment of an alternate site.

Be that as it may, it is the admitted case of the petitioners that the petitioners who are eligible for allotment of alternate sites are squarely covered by the judgment of this Court in *W.P.(C) No.3364 of 2011* titled as *Deepak Singh v NDMC & Ors* decided on 25.05.2011. The decision of the said case shall apply to all the

petitioners who are eligible for allotment of alternate sites and whose names find mention in the list prepared in this regard.

In addition to what is to be applicable to the petitioners in terms of the said order dated 25.05.2011, the time of squatting as recommended by Thareja Committee and approved by the Hon'ble Supreme Court being 'sunrise to sunset', shall also apply to all the petitioners.

These petitions stand disposed of.

Dasti.


M.L. MEHTA, J
VACATION JUDGE

JUNE 29, 2011
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