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

% **Date of Decision: 02nd September, 2026**

CNR No. DLHC010726062025

+ **CONT.CAS(C) 1444/2025**

SURAJ PAL KUSHWAHA

.....Petitioner

Through: Mr. Ram Narayan Singh with Mr.
MD Asim, Advocates.
(M): 8800766688

versus

DHARMENDRA AND OTHERS

.....Respondents

Through: Mr. Sriharsha Peechara, SC with Mr.
Soumit Ganguli and Ms. Ravicha
Sharma and Mr. Akash Sharma,
Advocates for respondent no.
1/NDMC.
(M): 9717466788
Email: shpeechara@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

1. The present petition has been filed alleging wilful disobedience of the order dated 18th July, 2025, passed by the Division Bench of this Court in *W.P. (C) 2758/2025*, wherein, it had been directed as follows:

“1. This hearing has been done through hybrid mode.

2. The present petition has been filed by the Petitioner – Suraj Pal Kushwaha under Article 226 of the Constitution of India, inter alia, seeking issuance of an appropriate writ directing the Respondents to permit the Petitioner to participate in the survey conducted by Town Vending Committee (hereinafter, 'TVC') of



the New Delhi Municipal Council (hereinafter, 'NDMC') and issue him a Certificate of Vending (hereinafter 'COV').

3. The case of the Petitioner is that he has been selling permissible goods of readymade garment and seasonal garment near Shop No. 127, Main Market, Sarojini Nagar, New Delhi, in the NDMC area since 1988.

4. At this stage, ld. Counsel for the Petitioner submits that the Petitioner has already been surveyed by the TVC.

5. Since the Petitioner has already participated in the survey, he shall not be disturbed from carrying on his vending activities so long as he adheres to the terms and conditions of vending, in accordance with law.

6. The petition is disposed of in these terms. Pending application(s), if any, also stand disposed of.

7. The above shall be subject to the final decision on the issuance of the COV by the NDMC.

8. The next date of hearing i.e., 29th July, 2025 shall stand cancelled."

2. Upon perusal of the aforesaid order, it is clear that categorical directions have been issued to the effect that the petitioner herein shall not be disturbed from carrying out vending activities, so long as he adheres to the terms and conditions of the vending, in accordance with law.

3. This Court notes the submission made by learned counsel appearing for the New Delhi Municipal Council ("NDMC") that the petitioner has already been given a provisional Certificate of Vending ("CoV").

4. The relevant portion of the reply dated 12th February, 2026, filed on behalf of the NDMC, in this regard is reproduced as under:

"xxx xxx xxx

9. It is a matter of record that the Petitioner was surveyed in the year 2025 pursuant to the statutory exercise undertaken under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and the applicable Scheme. Following such survey, the Petitioner has been accorded provisional vending status



pursuant to the survey process and has been issued a Provisional Certificate of Vending.

10. A Provisional COV is, by its nature, interim and subject to further statutory processes, including finalisation of the proposed Town Vending Plan by NDMC, approval thereof by the Government of NCT of Delhi, and determination by the duly constituted Town Vending Committee. It does not confer a permanent or indefeasible right to vend at a particular location.

11. Insofar as NDMC is concerned, the Petitioner continues to remain a provisional COV holder. The Answering Respondent has not passed any order cancelling, suspending, or otherwise disturbing the Petitioner's vending activity in contravention of the order dated 18.07.2025. No removal or eviction action has been initiated by NDMC in disregard of the said order.

xxx xxx xxx”

5. This Court also takes note of the submission made by learned counsel appearing for the NDMC that the NDMC has not taken any action against the petitioner and his vending activities have not been disturbed.

6. Accordingly, it is directed that as long as the petitioner is carrying out his vending activities in terms of the provisional COV, the petitioner shall not be disturbed.

7. However, in case, the petitioner changes his place of squatting or violates the terms of the provisional CoV, in any manner whatsoever, the authorities shall be at liberty to take action as per law.

8. With the aforesaid directions, the present petition is accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 2, 2026

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