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* IN THE HIGH COURT OF DELHI AT NEW DELHI

*Date of decision: 29th July, 2026**Uploaded on: 30th July, 2026*

+ W.P.(C) 10535/2026 and CM APPL. 48666/2026

JITENDER KUMAR AND ANRPetitioners

Through: Mr. Aashish Kumar Singh and Ms.
Chitrakshi VEDI, Advocates.
(M) 9582804149

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Shilpa Ohri, Additional Standing
Counsel for MCD with Mr. R. K.
Bansal, Assistant Commissioner
(MCD-Shahdara South Zone) and Mr.
Shailendra Yadav (AO) and Mr.
Anand. (M) 9871900539**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE VIKAS MAHAJAN****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.

CM APPL. 48665/2026 (for exemptions)

2. Allowed, subject to all just exceptions.

3. Application stands disposed of.

W.P.(C) 10535/2026 & CM APPL. 48666/20264. The present petition has been filed by two Petitioners *i.e.*, Mr. Jitender Kumar and Ms. Pooja, who have filed their nominations to contest in the forthcoming Town Vending Committee (TVC) Elections, and seek certain directions to permit them to contest in the same.



5. The Petitioners are vendors and they had filed their nomination forms in the first week of July, 2026 when the nomination filing was opened on 3rd July, 2026. The last date for filing nominations was 10th July, 2026. The scrutiny was fixed on 11th July, 2026 and thereafter the final list of contestants and members had been published by the MCD on 11th July, 2026. For ease of reference the schedule of the upcoming elections is extracted hereunder:

Commencement of Nomination Process	03 July 2026 (From 11:00 AM to 03:00 PM)
Last Date for Submission of Nomination Forms	10 July 2026
Last Date for Withdrawal of Nomination	11 July 2026 (Up to 05:00 PM)
Scrutiny of Nomination Forms	11 July 2026 (Up to 05:00 PM)
Publication of Valid Nominations	11 July 2026 (After 05:00 PM)
Allotment of Election Symbols	13 July 2026 (Before 05:00 PM)
Publication of Final List of Candidates	13 July 2026 (Up to 05:00 PM)
Polling Day	02 August 2026 (From 08:00 AM to 05:00 PM)
Counting of Votes & Declaration of Result	04 August 2026 (From 08:00 AM onwards)

6. The grievance of the Petitioners is that their nominations have been rejected and they were not given an opportunity to rectify the same.

7. The submission of Mr. Aashish Kr. Singh, Id. Counsel for the Petitioners is that the only objection raised by the MCD is that in respect of both the Petitioners the respective Proposer was a part of TVC-II under a different ward. Hence, the nominations were rejected. However, it is submitted that if an opportunity had been given, the Petitioners could have rectified the defect in the nomination form.

8. On behalf of the MCD, it is submitted by Ms. Shilpa Ohri, Id. Counsel that the guidelines titled MCD (Election of the Members of Town Vending



Committee from Amongst the Street Vendors), 2026 published for the election of the members of the Town Vending Committee, clearly stipulates that the proposer has to be from the same ward. Reliance is placed on Clause 13(1) of the said guidelines which is set out below:

“(1) Each candidate shall file the nomination, either in person or by his proposer, between the hours of eleven O’clock in the forenoon and three O’clock in the afternoon, deliver to the Returning Officer at the place specified in this behalf in the notice issued under rule in a nomination paper completed in Form I and signed by the candidate and by an elector of the same ward as proposer.”

9. She has also handed over the respective forms filled by the Petitioners, which according to her would show that in the case of Petitioner No.1, the concerned proposer was from TVC II under a separate ward, and in the case of Petitioner No.2, the concerned proposer was also from TVC II and from a separate ward.

10. It is also submitted by Id. Counsel for the MCD, under instructions from Mr. R.K. Bansal, Assistant Commissioner (Shahdara South Zone), that on 11th July, 2026 when the scrutiny of nomination papers was done, both the Petitioners were called to the office of the Assistant Commissioner. She further submits that Mr. Shailender Yadav, Administrative Officer (Shahdara South Zone), had telephonically called up the Petitioners at the time of scrutiny for a meeting and they were duly informed of the reasons for rejecting their nominations.

11. It is also submitted that out of 80 nominations only four have been rejected which would show that the intention of the MCD was not to reject the nominations and to give best opportunity to all the contestants.



12. The further submission made on behalf of the Petitioners is that the MCD had published two lists of the final contestants on the same day *i.e.*, 11th July, 2026 itself, which would show that there is some issue in the finalisation of the candidates.

13. This position is vehemently contested by the Id. Counsel for the MCD on the ground that in the first list which was published on 11th July, 2026, after the scrutiny was undertaken, there was one error which had occurred in respect of a contestant and therefore a corrected list was published on 13th July, 2026. The list published on 13th July, 2026 is stated to be now the final list and the ballot papers have also been printed. The election is now fixed for 2nd August, 2026.

14. After hearing Id. Counsels for the parties, it becomes clear that the scrutiny had taken place on 11th July, 2026 and the Petitioners were aware on the said date itself of their rejection. Moreover, now the ballot papers have also been printed and the election is itself scheduled on 2nd August, 2026, this Court is not inclined to interfere in this matter.

15. In similar petitions filed before this Court including ***W.P.(C) 9966/2026*** titled ***Dharamveer & Ors. Vs Municipal Corporation Of Delhi & Ors.***, and ***W.P.(C) 9829/2026*** titled ***Mohd Arfin & Anr. Vs. Municipal Corporation Of Delhi*** this Court has already taken a view that the constitution of the TVC and the elections thereto are extremely important considering the issues arising across Delhi in respect of the street vendors, and accordingly the same would not be interdicted by the Court. The relevant portion of the order dated 22nd July, 2026 passed in ***Dharamveer & Ors. (supra)*** reads as under:

“14. The Court has heard Counsels for the parties. Given this



background, it can be seen from the schedule of TVC elections extracted above, that the scrutiny of nomination forms took place between 11th to 13th July, 2026. The final list of candidates was also to be published on 13th July, 2026. The polling day is now 2nd August, 2026, which is almost approaching.

15. The TVC elections are extremely crucial elections as there has been a substantial delay in the constitution of TVCs in Delhi, leading to several issues arising with respect to street vendors across Delhi.

16. The same is also important in the context of the role played by the TVC for finalization of certificates of vending for thousands of vendors in Delhi. Thus these elections, in the opinion of this Court, ought not to be interdicted and held up due to grievances raised by any individual candidates. If such grievances are entertained at this stage, it may completely disrupt the election process itself, which is not feasible, especially after Ballot papers are printed.

17. Moreover, the Supreme Court in **Saptahik Merchant Welfare Association (Registered) (supra)**, vide order dated 6th April, 2026 has directed as under:

“1. Learned counsel appearing for the parties have been heard at length.

2. We direct reconstitution of the Town Vending Committee as envisaged in the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 by the competent authority as per terms of the aforesaid enactment, within a period of two months from date of service of a copy of this order. However, such reconstitution is not intended for the purpose of permitting the members of the petitioning Association to resume vending on Netaji Subhash Marg, New Delhi but for the purpose of their re-location to some other appropriate place for vending.

3. Once the TVC is re-constituted, decision to identify the vendors and to re-locate them shall be taken at the earliest but not later than six months from the date of reconstitution thereof.”

18. The above order also clearly directs that the TVC elections and re-constitution ought to be conducted within a period of two



months. This Court is also entertaining several writ petitions where street vendors seek their permanent certificates of vending and the said decisions are now awaiting constitution of TVCs.

19. Under these circumstances, this Court is not inclined to entertain the present writ petition, at this stage of elections of TVCs.”

16. In fact the Supreme Court has also passed directions for expeditious constitution of the TVC.

17. Under these circumstances this Court is not inclined to entertain the writ petition. The same is accordingly dismissed. Pending applications, if any, also stand disposed of.

18. Needless to add, the Petitioners are free to avail of their remedies, if any, in accordance with law, after the conclusions are concluded.

**PRATHIBA M. SINGH
JUDGE**

**VIKAS MAHAJAN
JUDGE**

JULY 29, 2026/jg