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

Date of Decision: 16th May, 2025

+ **W.P.(C) 6547/2025 & CM APPL. 29742/2025**

SARABJEET KAURPetitioner

Through: Mr. Sudhir Kumar Ojha, Advocate.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Varsha Arya, Advocate for MCD.

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+ **W.P.(C) 6548/2025 & CM APPL. 29743/2025**

KULDEEP SINGH VERMAPetitioner

Through: Mr. Sudhir Kumar Ojha, Advocate.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Pooja S. Kalra, Standing Counsel
with Mr. Virendra Singh, Advocate.

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+ **W.P.(C) 6550/2025 & CM APPL. 29746/2025**

PUSHPA DEVIPetitioner

Through: Mr. Sudhir Kumar Ojha, Advocate.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Sriharsha Peechara, Standing
Counsel with Mr. Akshat
Kulshreshtha, Advocate.



CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE RAJNEESH KUMAR GUPTA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. These three petitions have been filed by the Petitioners- Sarabjeet Kaur, Kuldeep Singh Verma and Pushpa Devi under Article 226 and 227 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondent- Municipal Corporation of Delhi (hereinafter, 'MCD') for allotment of relocated *tehbazari* site to the Petitioners.
3. The case of the Petitioners is that they were vending at Bapu Market, Kashmere Gate. Relocation letters dated 29th April, 2022, 14th April 2022 and 8th July 2022 were served on them respectively. In the said letters, it is stated that the Petitioners would be given a *tehbazari* site at Mata Sundri Road, Ward-88, New Delhi. The relevant portion of the said letters are extracted below:

Letter dated 29th April, 2022 issued to Sarabjeet Kaur

*“AND WHEREAS, the issue relating to the relocation of *tehbazari* sites was examined and **the Competent Authority vide Order dated 03.01.2022 has been pleased to approve the relocation of the *tehbazari* site i.e. in lieu of existing *tehbazari* site No.3433 previously situated at Bapu Market (Ward NO. 84) Chandni Chowk is being relocated the *tehbazari* at Mata Sundri Road (Ward No-88), New Delhi on the following, *tehbazari* terms & conditions. ...”***



Letter dated 14th April 2022 issued to Kuldeep Singh Verma

“AND WHEREAS, the issue relating to the relocation of tehbazari sites was examined and the Competent Authority vide Order dated 03.01.2022 has been pleased to approve the relocation of the tehbazari site i.e. in lieu of existing tehbazari site No.3495 previously situated at Babu Market (Ward No. 84) Chandni Chowk is being relocated the tehbazari at Mata Sundri Road (Ward No-88), New Delhi on the following, tehbazari terms & conditions.”

Letter dated 8th July 2022 issued to Pushpa Devi

“AND WHEREAS, the issue relating to the relocation of tehbazari sites was examined and the Competent Authority vide Order dated 03.01.2022 has been pleased to approve the relocation of the tehbazari site i.e. in lieu of existing tehbazari site No.3520 previously situated at Babu Market (Ward No. 84) Chandni Chowk is being relocated the tehbazari at Mata Sundri Road (I/Vard No-88), New Delhi on the following, tehbazari terms & conditions.”

4. The grievance of the Petitioners is that despite having paid the necessary amount, the site of relocation has not been allotted to the Petitioners, as well to the other similarly placed persons.

5. The present petitions are in fact covered by a decision of this Court dated 15th February, 2024 passed by the Co-ordinate Bench in **WP(C) No. 9225/2023** titled ‘**Ramesh Gupta v. Municipal Corporation of Delhi & Anr.**’. In the said order, the Court had clearly directed the authorities to give



possession of the new site in terms of the relocation letter. The relevant portion of the said decision is set out below:

“ 11. It is clear from the facts on record that the process of eviction and reallocation was contemplated as a singular process with allotment of a new site following their removal from their sites. The petitioner had been evicted from his tehbazari site for being relocated at a new site. The contention that since the TVC has been constituted, after the petitioner was removed and before he could be relocated. The petitioner would forfeit his right to carry on trade and earn his livelihood. This is, plainly, unacceptable. The relocation process could be stopped midway.

12. In view of the above, we consider it apposite to direct the respondents to give possession of the new site in terms of the relocation letter as expeditiously as possible and in any event within a period of four weeks from date.

13. However, we also clarify that the handing over of possession of new site would not create any right in the petitioner in respect of the said site and the same would be subject to any further plans or schemes that may be framed as and when the recommendations are made by the TVC.

14. We clarify that this order is only for the purposes of ensuring that the petitioner is not deprived of his livelihood at the present stage. This would not preclude the TVC or the NDMC from relocating or evicting the petitioner in terms of a vending plan or a scheme that may be framed subsequently.

15. The learned counsel appearing for the petitioner also confirms, on instructions of the petitioner, who is present in Court that the petitioner would not claim any right in the new site, possession of which would be handed over in terms of the said order.

16. The petition is disposed of in the aforesaid terms.”

6. In the present case as well, there are relocation letters dated 29th April, 2022, 14th April 2022 and 8th July 2022 respectively. However, the *tehbazari* sites are yet to be allotted to the Petitioners.



7. Ms. Pooja S. Kalra, Id. Standing Counsel appearing for the MCD submits that the MCD requires two more months to give the relocated vending site to the Petitioners. Id. Standing Counsel further submits that there were certain grievances raised by the residents at the Mata Sundari Road and hence, fresh relocation site is being identified.

8. This matter shall be taken up at the highest level in the MCD and the relocated site shall be handed over to the Petitioners by 10th July, 2025. It is made clear that no further time shall be granted to the MCD.

9. This Court has also adjudicated a case on similar facts in *W.P.(C) 6268/2025* titled '*Savita Jain Vs. Municipal Corporation Of Delhi*'.

10. Accordingly, the present petition is disposed of in the above terms. Pending application, if any, stands disposed of.

**PRATHIBA M. SINGH
JUDGE**

**RAJNEESH KUMAR GUPTA
JUDGE**

MAY 16, 2025/da/ck