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

*Date of Decision: 19<sup>th</sup> March, 2025*

+ **W.P.(C) 3177/2025 & CM APPLs. 14893/2025, 14894/2025,  
14895/2025**

ARVIND KUMAR & ORS.

.....Petitioners

Through: Mr. Amit Gupta, Mr. Kshitij Vaibhav  
and Ms .Muskan Nagpal, Advocates  
(Mob. 9810273846).

versus

MUNICIPAL CORPORATION OF DELHI THROUGH  
COMMISSIONER & ORS.

.....Respondents

Through: Mr. Uday Pratap Singh, Ms. Ankita  
Singh, Mr. Akshit Mago and Ms.  
Sarika Chaudhary, Advocates for R-  
3/MCD.

**CORAM:  
JUSTICE PRATHIBA M. SINGH  
JUSTICE RAJNEESH KUMAR GUPTA**

**Prathiba M. Singh, J.(ORAL)**

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed under Article 226 and 227 of the Constitution of India by the Petitioners who claim to be authorized street vendors selling small household routine items at a weekly *bazaar* being run every Monday in the Alvi Chowk, Basti Hazrat Nizamuddin area.
3. Through the present petition, the Petitioners are seeking the setting aside of an order dated 1st November, 2023 bearing No. DC/CNZMCD/2023/D-476 (*hereinafter the 'impugned order'*) issued by



Municipal Corporation of Delhi, Office of the Deputy Commissioner, Central Zone, Lajpat Nagar-II, New Delhi.

4. The case of the Petitioners is that they have been selling small household routine items since 1994 at the weekly *bazaar* being run every Monday in the Alvi Chowk, Basti Hazrat Nizamuddin area. A complaint dated 30th September, 2023 was made by various vendors of the said area who were selling their wares in the weekly *bazaar*. Such complaint was addressed to all the concerned authorities, including the Municipal Corporation of Delhi ('MCD'), The Commissioner of Police, The Deputy Commissioner of Police, South East, Sarita Vihar, the concerned SHO as well as the Hon'ble Lieutenant Governor. The complaint stated that certain persons were extorting money from the Petitioners and other vendors in the weekly *bazaar*.

5. It is apprehended by the Petitioners that in view of this complaint, which was sent by the vendors and as a repercussion of the same, the impugned order was passed by MCD to completely stop the weekly *bazaar*, at the instance of the local Municipal Councillor and other authorities.

6. As a result of the order passed by the MCD, the Petitioners' livelihood has been seriously impacted. A letter was sent by the Petitioners to the concerned Municipal Councillor, Ward No. 142, Daryaganj, New Delhi, who has thereafter withdrawn her objection to the operation of the weekly *bazaar*.

7. In terms of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (*hereinafter 'the Act'*), the supervision, management and regulation of street vendors is to be done by the Town Vending Committee ('TVC'), which is constituted under Section



22 of the Act. The impugned order has been issued by the Municipal Corporation of Delhi, Office of the Deputy Commissioner, Central Zone, and not by the TVC of the concerned area.

8. Be that as it may, Id. Counsel for Respondent No. 3, being the Municipal Councillor for the concerned area, also submits that there is no objection on their behalf upon the operation of the weekly *bazaar*. Under these circumstances, this Court is of the opinion that the order could not have been passed by the MCD in this manner, without following the procedure prescribed under the Act.

9. The impugned order is accordingly set aside. The weekly *bazaar* is permitted to be set up by the vendors who are authorized in accordance with law. As per Section 27 of the Act, it shall be the duty of the concerned authorities, including the local police to ensure that no harassment is being caused to the vendors as long as they abide by the terms and conditions of the vending certificates issued upon them.

10. The writ petition is allowed in the above terms and is disposed of along with all pending applications, if any.

**PRATHIBA M. SINGH, J**

**RAJNEESH KUMAR GUPTA, J**

**MARCH 19, 2025/MR/ss**