



\$~19, 90, 91, 98 & 99

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

Date of decision: 18th May, 2026

Uploaded on: 21th May, 2026

+ **W.P.(C) 8479/2023 & CM APPL. 32292/2023, CM APPL. 61032/2023**

CHANDNI CHOWK SARV VYAPAR MANDAL & ORS.

.....Petitioners

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

~90

+ **W.P.(C) 15211/2025 & CM APPL.62406/2025**

SAROJINI MARKET SHOPKEEPERS ASSOCIATION.....Petitioner

versus

TOWN VENDING COMMITTEE & ORS.

.....Respondents

~91

+ **W.P.(C) 151/2026**

PALIKA BAZAR SHOPKEEPERS WELFARE ASSOCIATION AND ORS

.....Petitioners

versus

GOVT. OF NCT OF DELHI

.....Respondent

~98

+ **W.P.(C) 16616/2025 & CM APPL. 33342/2026**

PRADEEP KUNDRA & ORS.

.....Petitioners

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.

.....Respondents

~99

+ **W.P.(C) 19705/2025 & CM APPL. 33346/2026**



PRAVEEN KUNDRA & ORS.

.....Petitioners

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.

.....Respondents

Appearances for Petitioners:

Mr. Sanjeev Ralli, Sr. Adv with Mr. Mohit Mudgal, Mr. Ravi Kant Yadav, Ms. Nivedita Sharma, Mr. Chetanya Baweja, Advs. in item no. 91 and 19
Mr Bibhuti Bhushan Mishra, Mr Anubhav Gupta, Mr Gopinath D., Advs. in item no. 98 and 99

Ms. Manasi Chatpalliwar & Mr. Anshveer Singh Nalwa, Advs in item no. 90

Appearances for Respondents:

Mr. Lalitaksh Joshi, Ms. Minu Kumari, Advs. in item no. 19

Ms. Saumya Tandon, CGSC with Mr. Gaurav Singh Sengar, Ms. Tooba Khan, Advs. in item no. 99

Ms. Pushti Gupta, SPC in item no. 98

Mr. Sriharsha Peechara Standing Counsel for NDMC, Mr. Soumit Ganguli
Ms. Ravicha Sharma, Ms. Shruti Agarwal, Mr. Akash Sharma, Advs. in item no.19, 90, 91, 98, 99

Mr. Kamlesh Kumar Mishra and Ms. Shivani Verma, Advs. for Intervenor in item no. 19

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 61032/2023 (For early hearing) in W.P.(C) 8479/2023

2. The present application has been filed by the Petitioner seeking early hearing of *CM APPL No. 32292/2023*. For the reasons stated in the application the early hearing of *CM APPL No. 32292/2023* is allowed.

3. Application is disposed of.

W.P.(C) 8479/2023 & CM APPL. 32292/2023



W.P.(C) 151/2026

W.P.(C) 15211/2025 & CM APPL.62406/2025

W.P.(C) 16616/2025 & CM APPL. 33342/2026

W.P.(C) 19705/2025 & CM APPL. 33346/2026

4. The Court is confronted with a grave situation in respect of vendors and Tehbazari holders in all these matters, both in the NDMC areas and in the MCD areas across Delhi.

5. As a matter of background, in terms of the Street Vendors (Protection of livelihood and Regulation of Street Vending) Act, 2014 (*hereinafter, 'the Act'*), a vending plan is to be prepared by the New Delhi Municipal Corporation (*hereinafter, 'NDMC'*), and the Municipal Corporation of Delhi (*hereinafter, 'MCD'*), after identifying the list of vendors and the vending sites. The said list is then to be submitted to the Government for approval in terms of Section 21 of the Act.

NDMC Areas:

6. The position in respect of the NDMC areas is that the vending plan is stated to have been submitted by the NDMC on 9th October, 2025 and the GNCTD is to take a decision on the same.

7. While entertaining *W.P.(C) 151/2026* titled, *Palika Bazar Shopkeepers Welfare Association and Ors v. Govt. of NCT of Delhi* which related to the Connaught Place and Palika Bazar area, the Court had, in its order dated 5th February, 2026, recorded that in so far as these two areas are concerned, the same had been declared as 'No hawking' and 'No Vending' areas.

8. In this regard, a scheme namely, '*Scheme for Street Vendors in N.D.M.C Area*', declaring the areas namely, Connaught Place, Connaught



Circus (i.e., Rajiv Chowk and Indira Chowk) as No-hawking and No vending areas was submitted by the NDMC before the Supreme Court, which was approved way back in the decision in *Sudhir Madan and Ors. v. MCD and Ors*, [2007 SCCOnLine SC 758], dated 17th May, 2007. The said decision has also been followed by the Coordinate Benches of this Court in several matters.

9. After the coming into force of the 2014 Act, a survey was to be conducted by the Town Vending Committee (*hereinafter*, 'TVC') of NDMC. After the said survey being conducted by the TVC and the vending plan being prepared, the said plan was approved by the NDMC on 9th October, 2025. The said vending plan was also sent to the GNCTD for approval in terms of Section 21 of the Act.

10. The shopkeepers of the Connaught Place and Palika Bazar area had an objection to the said plan and various objections in respect of the plan were raised before this Court.

11. Accordingly, on 5th February, 2026, the Court had directed that the representations of the shopkeepers be now heard before the concerned Joint Secretary, Department of Urban Development, GNCTD. This course of action was found to be appropriate by the Court in view of the fact that the vending plan dated 9th October, 2025 had already been submitted and was pending approval before the GNCTD and thus, any objection of the shopkeepers being sent back to the TVC/NDMC would in effect, put the clock back and cause further delays.

12. Thus, the concerned Joint Secretary, Department of Urban Development, GNCTD was to consider the representations of the affected shopkeepers and finally, GNCTD was to determine the norms in terms of Section 21 (2) of the Act.



13. Despite more than 3 months having lapsed from the date of the said orders of this Court, no compliance affidavit has been forthcoming from the GNCTD.

14. The Court is informed by Ms. Gupta, Id. Counsel for GNCTD that further time would be required for the said official of the GNCTD to file an affidavit in this matter. Adjournment is also sought on the basis that there is some medical exigency in his family.

15. Mr. Peechara, Id. Counsel for the NDMC on the other hand has pointed out that after the order passed by this Court, a meeting was held on 24th February, 2026 and Minutes of the meeting had been drawn up by the Department of Urban Development, GNCTD.

16. In the said meeting, the concerned Joint Secretary, Department of Urban Development, GNCTD had asked the representatives of all parties to send any further grievances/representations on or before 27th February, 2026 and it was clarified that after expiry of the given period, no further representations would be entertained.

17. Thereafter, on 27th April, 2026, a letter had been issued by the Section Officer (Directorate of Local Bodies) (Department of Urban Development), whose name is unknown. The said letter reads as under :-



Tajam on record.
Blk.
18/01/2026

REMINDER
HIGH COURT MATTER
TIME BOUND

**DEPARTMENT OF URBAN DEVELOPMENT
(DIRECTORATE OF LOCAL BODIES)
9TH LEVEL, 'C' WING, DELHI SECRETARIAT
NEW DELHI-110002**

F. No. 11(11)/2026/LB/144-146 Dated: 27/4/26

To,

1. The Commissioner, MCD, Civic Centre, JLN Marg, Delhi 110002
2. The Secretary, NDMC, Palika Kendra, Delhi 110001
3. The CEO, DCB, Sadar Bazar Rd, Sadar Bazar, Delhi Cantonment, Delhi 110010

Sub: Regarding draft of Town Vending Plan.

Sir,

In continuation of the Minutes of Meeting dated 13.04.2026, wherein discussions were held regarding the views of respective Local Bodies vis-à-vis the norms pertaining to the Town Vending Plan under the Street Vendors Act, 2014, all Local Bodies were requested to draft and submit their respective Town Vending Plans in accordance with Chapter 8 of the said Scheme and the First Schedule of the said Act. This was required for notification by the Department of Urban Development, in order to avoid any incidental litigation.

However, no Town Vending Plan has been received from any Local Body so far.

I am directed to once again request all Local Bodies to submit their respective Town Vending Plans in accordance with Chapter 8 of the said Scheme and the First Schedule of the said Act at the earliest, so as to ensure timely compliance with the directions of the Hon'ble High Court in the matters of Ravi Gupta vs. NDMC W.P. (C) 924/2026 and Prem Gupta vs. NDMC W.P. (C) 937/2026.

Yours faithfully,

H
27/4/26
(Section Officer)
(Local Bodies)

18. A perusal of the above letter would show that town vending plans are now being sought from the local bodies, *i.e.* NDMC and the MCD in terms of the 2014 Act.

19. This letter is a complete reflection of the fact that the Department of Urban Development, GNCTD is unaware as to the manner in which it has to proceed. It has even failed to acknowledge that the vending plan dated 9th October, 2025 has already been submitted by the NDMC to the GNCTD.



20. To the said letter dated 27th April, 2026, the NDMC had sent a reply on 14th May, 2026, stating that the Town Vending Plan had already been sent to the GNCTD.

21. The issue would have ended here, insofar as the NDMC is concerned by directing the GNCTD to look at the vending plan sent by the NDMC. However, even the NDMC has now complicated the situation further. It has also not been candid and fair with the GNCTD, as is evident from what is being recorded below.

22. The Petitioners have pointed out that the TVC of the NDMC, after submission of the Vending Plan in October 2025, had a further meeting on 15th April, 2026 in which the NDMC records in the Minutes as under:-

“[...]

6. TVC was informed that vending sites identified & submitted to GNCTD does not fully accommodate the Vendors eligible for issuance of Certificate of Vending. Total around 200 more vending sites are required to be identified so that all vendors may be accommodated.

7. Architect, NDMC stated that NDMC being heritage building area & high security zone, vendors be accommodated on time sharing basis or alternate day vending arrangement instead of identifying more vending sites. On this TVC members unanimously objected to time sharing / alternate day vending stating that as per norms around 6000 vending sites be carved out / identified in NDMC area, however, during survey only around 2500 vendors were surveyed and out of them around 1169 have been found eligible and 1021 to be eligible (total no. 2190) for issuance of CoVs.



In view of above, TVC members unanimously stated that TVC member, Architect Department & Enforcement Department should make all out efforts to identify more vending sites and these identified sites be sent to GNCTD for inclusion in the notification to be issued.

8. Secretary, NDMC directed Architect Department, Enforcement Department and TVC elected Members to identify new vending sites in the next week so that same be sent to GNCTD for inclusion in the notification.

9. TVC was also appraised that in some market areas there are more vendors than vending sites in proposed vending plan, in such a situation, vendors are requisitioned to be adjusted in other market areas where excess vending sites are available.

10. Once vending plan is approved and notified, after inclusion of additional vending sites, particular vending sites to be allocated at respective markets.

11. After detailed discussion / deliberation, TVC unanimously agreed upon the following decisions:-

i. Issue of provisional CoVs to eligible vendors except for certain areas where Hon'ble Delhi High Court has given direction not to issue further CoVs vide order dated 05/02/2026 and vendors whose cases are under examination as per court order ..

ii. Architect Department, Enforcement Department and elected TVC members to identify new vending sites keeping in view norms which will be sent to GNCTD by Architect Department



for notification after approval of TVC.”

23. A perusal of the above would show that now the TVC of the NDMC states that 200 more vending sites need to be identified for accommodating all the vendors who are eligible for issuance of Certificate of Vending. After identification of 200 more vending sites, the same needs to be added into the vending plan and submitted to GNCTD so that the vending plan and terms thereof can be finalized.

24. However, these minutes of the meeting held on 15th April, 2026 find no mention in the reply dated 14th May, 2026 issued by the Chief Architect of the NDMC namely Mr. Anshu Gupta. Clearly, the GNCTD and the NDMC are shirking responsibility, where neither is willing to take a final decision, the reasons for which are not decipherable.

25. The issue gets further complex with another dimension *i.e.*, that *tehbazari* holders in the NDMC areas are also stated to have not participated in the survey. These *tehbazari* holders & squatters, including those approved by the Supreme Court and the Thareja Committee are stated to continue to vend in the NDMC areas as per Mr. Peechara, Id. Counsel, under the protection of the orders passed by the Supreme Court.

26. It is the case of NDMC that these *tehbazari* holders/squatters have refused to participate in the survey conducted by the TVC of the NDMC and hence, they continue to vend in the Connaught Place and the Palika Bazar area despite the Supreme Court approving the scheme of the MCD and despite the fact that the said areas are non-vending area.

27. The photographs which have been placed on record show that these *squatters/tehbazari* holders are occupying the corridors and other areas of



Connaught place. Clearly, any vending plan would need to take into account these *Teh Bazari* holders as well, without which the entire effort of the NDMC would be incomplete.

28. The NDMC was directed to file an affidavit in *W.P.(C) 8479/2023*, to the effect that these license holders/squatters/tehbazari holders are refusing to participate in the survey. This affidavit is not forthcoming till date and further one week time is being sought on behalf of NDMC by Mr. Peechara.

29. In light of the facts and circumstances discussed above, the position that prevails as on today is as under:-

- The so-called vending plan of NDMC, which is submitted to GNCTD, continues to remain pending for approval of GNCTD;
- The said vending plan of the TVC of NDMC is not yet final, as 200 more sites have to be added in terms of the minutes of meeting dated 15th April, 2026;
- Certain *tehbazari* holders, who are 225 in number, have not participated in the survey;
- Approximately 740 squatters/*tehbazari* holders approved by the Thareja Committee have not participated in the survey and continue to squat nonetheless;
- Provisional CoVs, which have been issued to approximately 2000 vendors in all of the NDMC areas who have been surveyed, still await the final decision of the TVC and GNCTD and they are presently not vending in the non-vending areas and are vending in the permissible areas, on the basis of provisional CoVs.



30. The NDMC, as also the GNCTD is not clear as to how to proceed in these matters. In the opinion of this Court, this shows a complete absence of decision-making.

31. Under these circumstances, the matter be accordingly, directed to be taken up by the Chief Secretary of GNCTD, who shall take a decision in this regard and place a status report before this Court.

MCD Areas:

32. Coming to the MCD areas, again, the situation is even worse. The vending plan of the MCD has not yet been finalized and the same has not been submitted to the GNCTD for its approval.

33. In the MCD areas also, the *tehbazari* holders/squatters who are stated to be more than 13,000/-, have not participated in the survey. The survey of the MCD has not come to a conclusion and the vendors continue to occupy the vending places in a completely *ad-hoc* manner. Further, the TVC-II is also yet to be constituted and the elections thereof are stated to be not taking place, as is clear from various cases being heard by this Court.

34. There is also an issue raised as to whether the issuance of provisional COVs is even permissible at all. This issue would also be considered by the Chief Secretary, GNCTD.

35. In the opinion of this Court, there is utter confusion, insofar as vendors/tehbazari holders and squatters are concerned. There are three stakeholders in this entire process –

- vendors /tehbazari holders/squatters,
- shopkeepers and



- finally the pedestrians/residents of Delhi who are sometimes put to enormous inconvenience due to encroachments, trespass and unruly behavior of vendors /tehbazari holders.
36. The chaotic situation prevailing in various markets, including in the NDMC areas such as Connaught place, Palika bazar, Sarojini Nagar, and all the MCD areas such as Karol Bagh, Lajpat Nagar etc., is quite visible .
37. Accordingly, the Chief secretary, GNCTD, along with the Secretaries and other officials of concerned departments shall hold a meeting in this regard with all the concerned agencies and a final decision shall be taken as to how the Government wishes to proceed in these matters.
38. List on 27th July, 2026.
39. The Chief Secretary shall join the proceedings virtually on the next date of hearing.
40. The first meeting of the Chief Secretary, GNCTD shall take place on **2nd June 2026 at 11:30 AM** at the office of the Chief Secretary, GNCTD. All concerned officials including the Chairman, NDMC; Commissioner, MCD and any other officials from other departments as may be required shall participate in the meeting and extend complete cooperation.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MAY 18, 2026/prg/ss