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

Date of decision: 23rd March, 2026

Uploaded on: 25th March, 2026

+ **W.P.(C) 3697/2026 & CM APPL. 17979/2026**

TOSHAR KUMAR

.....Petitioner

Through: Mr. Satish Kumar Tripathi, Adv.

versus

THE TOWN VENDING CCOMMIITEE (TVC) - NDMC & ORS.

.....Respondents

Through: Ms. Shagun Shahi Chugh, Mr. Varun Chugh and Ms. Ayushi Agarwal, Adv.

Mr. Sriharsha Peechara Standing Counsel for NDMC Mr. Chetanya Singh, Addl. Standing Counsel Mr Soumit Ganguli Ms Ravicha sharma Ms Shruti Agarwal Mr Akash Sharma Advocates

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Mr. Toshar Kumar under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to decide the representation dated 27th February, 2026 regarding the substitution of the name of the Petitioner in place of his deceased father in the Certificate of Vending (*hereinafter*, 'CoV').



3. The brief background of the present case is that the Petitioner is stated to be the son of Late Mr. Narender Kumar, who was surveyed by the Town Vending Committee sometime in 2025. Petitioner's father was found to be an eligible vendor at the site *i.e.*, near Shop No. 137 (Silver Corner) Sarojini Nagar Market, New Delhi - 110023 (*hereinafter*, 'vending site').
4. Thereafter, the father of the Petitioner was issued a CoV bearing No. **V2025702229**.
5. The case of the Petitioner is that his father was vending at the vending site for several years and is stated to have been previously found eligible for a vending certificate in the 'General list' bearing Serial No. 2594 of 3792 as well as in 'SC/ST List' bearing Serial No. 308 of 396, by the New Delhi Municipal Council (*hereinafter*, 'NDMC'), sometime in 2011-2012.
6. The further case of the Petitioner is that Petitioner's mother passed away on 24th February, 2019 and that his father passed away on 26th January, 2026.
7. Petitioner's father left behind three daughters and two sons. The Petitioner is one of the sons. He has obtained a No-Objection Certificate from the remaining legal heirs of Late Mr. Narender Kumar.
8. Pursuant thereto, the Petitioner made a representation dated 27th February, 2026 to the Town Vending Committee, NDMC to substitute the name of the Petitioner in place of his deceased father in the CoV.
9. Ld. Counsel for the Petitioner submits that the grievance of the Petitioner in the present petition is that the TVC, NDMC has not considered the representation of the Petitioner.
10. Further, Ld. Counsel for the Petitioner also submits that in the meantime the Petitioner may not be harassed from carrying out his vending



activities from the vending site.

11. Mr. Soumit Ganguli Id. Counsel appearing for Mr. Sriharsha Peechara, Id. Counsel for the NDMC submits that the Petitioner has to establish that he is a *dependent* child.

12. The Court has heard the Id. Counsel for the parties. The case of the Petitioner is that he has been carrying on vending activities at the said vending site along with his father, and upon the demise of his father, he has continued to operate the said vending site.

13. Under Section 5(2) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. The *dependent* child of the street vendor can be permitted to vend in place of his/her parents. It is on the strength of this provision that the Petitioner prays for relief.

14. In the facts of the present case, let the documents in this matter be verified by the Director Enforcement, NDMC. The Director Enforcement, NDMC shall decide, after verifying all the credentials, whether the Petitioner would be entitled to substitution of his name in place of his father, in terms of Section 5(2) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. Thereafter, the representation of the Petitioner for substitution of his name in the CoV shall be proceeded with in accordance with law.

15. Accordingly, the Petitioner shall appear before the Director Enforcement, NDMC on **16th April, 2026 at 11:30 AM**. The Director Enforcement, NDMC shall after hearing the Petitioner, decide the representation of the Petitioner within a period of four months. All rights and remedies are left open.

16. If any coercive measures are taken against the Petitioner by the



2026:DHC:2453-DB



Respondents, the Petitioner is at liberty to approach the Court.

17. The present petition is disposed of in above terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

MARCH 23, 2026/prg/sm