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

Date of decision: 3rd September, 2026

Uploaded on: 5th September, 2026

CNR No. DLHC010116682025

+ **W.P.(C) 2885/2025**

SARDAR SINGH AND ORS

.....Petitioners

Through: Mr. Sai Shashank, Advocate.

versus

MCD AND ORS

.....Respondents

Through: Ms. Puja S Kalra, SC with Mr. Virendra Singh, Adv. for MCD.

Mr. Manoj Kumar Tyagi Senior Panel Counsel UOI.

Mr. Raghvendra Upadhyay (Panel Counsel GNCTD), Ms. Purnima Jain, Mr. Madhur, Mr. Yash Singh, Advocates for R-3.

Mr. Aditya, Mr. Vipin Kumar, Ms. Pralika Chakraborty, Advocate for R-4 and 5.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The Petitioner who claims to be a *tehbazari* holder in the Chandni Chowk area has filed the present petition, seeking removal of another alleged unauthorized *tehbazari* structure in the form of a shop in front of his Site No.1 Link Road adjacent to Parade Ground Wall, Ward - Chandni Chowk CSB Site



No. 2707.

3. According to the Petitioner, he is protected as an original *tehbazari* holder. In respect of the same, he has relied upon the judgment of the Supreme Court in ***Gainda Ram & Ors. v. MCD & Ors., W.P.(C) No. 001699 / 1987.***

4. The Petitioner is stated to be vending since several years in the subject spot. His grievance is that another vendor or *tehbazari* holder has put up a stall/shop right next to his shop, thereby preventing ingress and egress to his own stall. Some of the photographs relied upon by the Petitioner are set out below:-





5. In the above images, the Petitioner's stall/shop is on the right with the iron plank. The Petitioner's grievance is in respect to the clothes stall/shop which has been set up next to it.

6. It is the submission of Ms. Kalra, Id. Standing Counsel for the MCD that the Petitioner had earlier filed a writ petition being ***Writ Petition (Civil) 13271/2021*** titled ***Sardar Singh & Ors. v. North Delhi Municipal Corporation & Ors.***, which was disposed of on 4th March, 2024, with the following directions:

“3. We, accordingly, dispose of the present petition by directing the Municipal Corporation of Delhi (MCD) to decide the petitioners' representation. The



petitioners are also at liberty to make additional representation, if necessary, within a period of two weeks from date. The MCD shall consider the representations and other material, and dispose of it of expeditiously.”

7. As per the above, the representation of the Petitioner was to be decided expeditiously.
8. Subsequent to the said order being passed, a contempt petition was filed being **CONT.CAS(C) 1986/2024** titled **Shri Sardar Singh & Ors. vs. Shri. Ashwani Kumar & Ors.**, wherein on 18th December, 2024, it was submitted by the Id. Counsel for the Respondents that the representation of the Petitioner would be disposed of within two weeks.
9. Today, Ms. Kalra, Id. Counsel for MCD has handed over a counter affidavit, as per which, owing to the order passed in the contempt dated 18th December, 2024, the stall/shop of Mr. Jagdish Prasad from which the Petitioner is aggrieved, was shifted by 7 feet from the original location to ensure that no inconvenience is caused to the Petitioner. The said counter affidavit is taken on record.
10. It is further submitted that the present petition seems to be a personal conflict between the Petitioner and the said Mr. Jagdish Prasad.
11. Heard. The Court takes judicial notice of the fact that the survey by the MCD of all the *tehbazari* holders has already commenced as a part of the process of finalizing the vending plan in the city of Delhi in MCD areas and NDMC areas.
12. The Petitioner claiming to be one of the original *tehbazari* holders would obviously be participating in the same survey. After the survey is conducted, the TVC-II for which elections have already been conducted,



would also be finalizing the vending plan and making proper allotments in terms of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

13. In view thereof, the present petition is disposed of with the directions that upon the survey being conducted and the vending plan being finalized, the grievance of the Petitioner shall be considered by the TVC-II as a *tehbazari* holder. The decision by the TVC-II shall be taken within a period of three months after it is duly constituted.

14. The petition is disposed of in the above terms. All pending applications are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**VIKAS MAHAJAN
JUDGE**

**SEPTEMBER 3, 2026
MR/msh**