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* IN THE HIGH COURT OF DELHI AT NEW DELHI

*Date of decision: 12th August, 2026**Uploaded on: 13th August, 2026*

CNR No. DLHC010361102026

+ W.P.(C) 11208/2026

SURAJ PAL

.....Petitioner

Through: Mr. Sanjay Baniwal and Ms. Manisha,
Advts.

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS.

.....Respondents

Through: Ms. Puja S Kalra, Standing Counsel
with Mr. Virendra Singh, Adv. for
MCD. (M: 9312839323)
Mr. Reshesh Mani Tripathi, Senior
Panel Counsel for R-2 & 3. (M:
9310350656)**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE VIKAS MAHAJAN****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking directions to the MCD to conduct the survey of the Petitioner and to not disturb the vending activities of the Petitioner, till the time he is permitted to participate in the survey.
3. The Petitioner claims to be vending outside the Exit Gate of Venkateshwar College, and further claims that he has been vending from the said site since 2016. In this regard, copies of *challans* issued in 2016 have



been placed on record.

4. The photograph of the vending cart of the Petitioner has also been placed on record, and the same is extracted herein below:



5. The case of the Petitioner is that he did not participate in the survey, which was conducted by the MCD. Accordingly, it is prayed that the Petitioner be permitted to be included in the survey.

6. Ms. Kalra, Id. Counsel appearing for the MCD submits that the survey is already concluded, and the election for TVC-II has also been concluded. Thus, it is submitted that, at this stage, the Petitioner cannot be included in any survey.

7. The Court has considered the matter and perused the records. Considering that the Petitioner claims to have been vending since 2016 he ought to have participated in the Survey conducted last year. The said survey, having already been concluded, cannot be reopened at this stage for the



Petitioner.

8. However, it is clarified that, if any future survey is conducted, the Petitioner shall be permitted to participate in the same in accordance with law.

9. The Petitioner's case may be considered by the TVC-II at the relevant point in time, if so required.

10. The above is without prejudice to rights and contentions of either of the parties.

11. This Court has not examined the merits and the genuinity of the *challans*, which have been placed on record.

12. It is made clear that, since the Petitioner does not have a Certificate of Vending to vend in the area, and has also not participated in the survey, the Petitioner's continued vending shall be subject to the decision of the TVC-II.

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

**PRATHIBA M. SINGH
JUDGE**

**VIKAS MAHAJAN
JUDGE**

AUGUST 12, 2026/dk/sm