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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. DLHC010362342026

+ W.P.(C) 11267/2026

NEGPAL

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS.

....Respondents

Through: Ms. Meherunnisa A. Jaitley, Mr.
Aryan Tyagi & Mr. Jaskeerat Singh,
Advts. for MCD.Mr. Sushil Kumar Pandey, SPC with
Mr. Kartik Sharma, GP, Mr.
Srikrishna Kumar Yadav, Ms. Ragini
Kumari, Mr. Aman Kumar Pandey,
Mr. Pradip Sharma, Advts. for UOI.
(M:9873588234)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 R.K. Puram, Sector-12, Near CNG Pump, Right Side, Service Lane and further claims that he has been vending from the said site since 2022. In this regard, copies of *challans* issued in 2022 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 last year by the MCD. Accordingly, it is prayed that the Petitioner be permitted to be included in the survey.

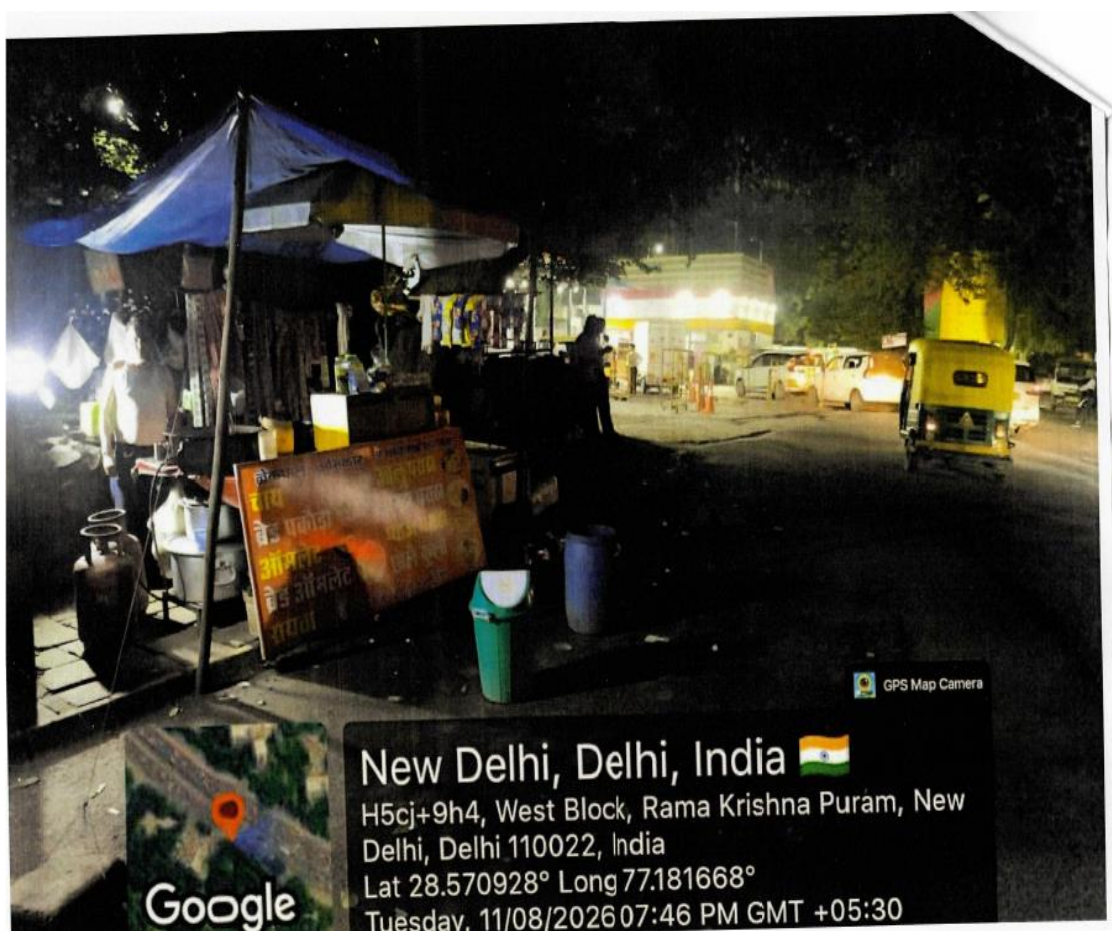
6. Ms. Meherunnisa A. Jaitley, Id. Counsel appearing for the MCD



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.

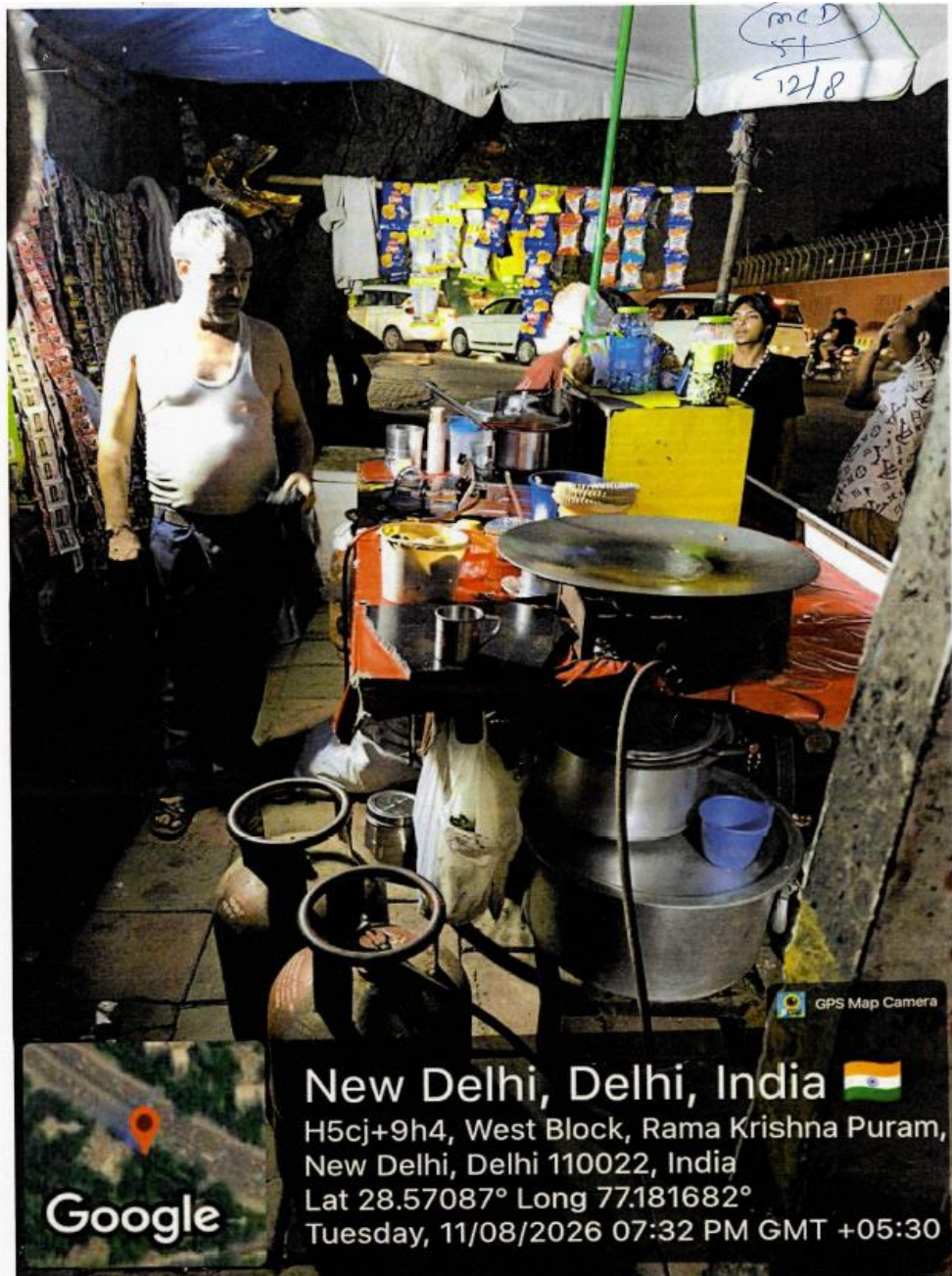
7. Further, Id. Counsel for the MCD has placed on record certain photographs showing the manner in which the Petitioner has occupied a substantial portion of the pedestrian footpath near the CNG petrol pump, which is situated around the corner from where the cart is put up by the Petitioner.

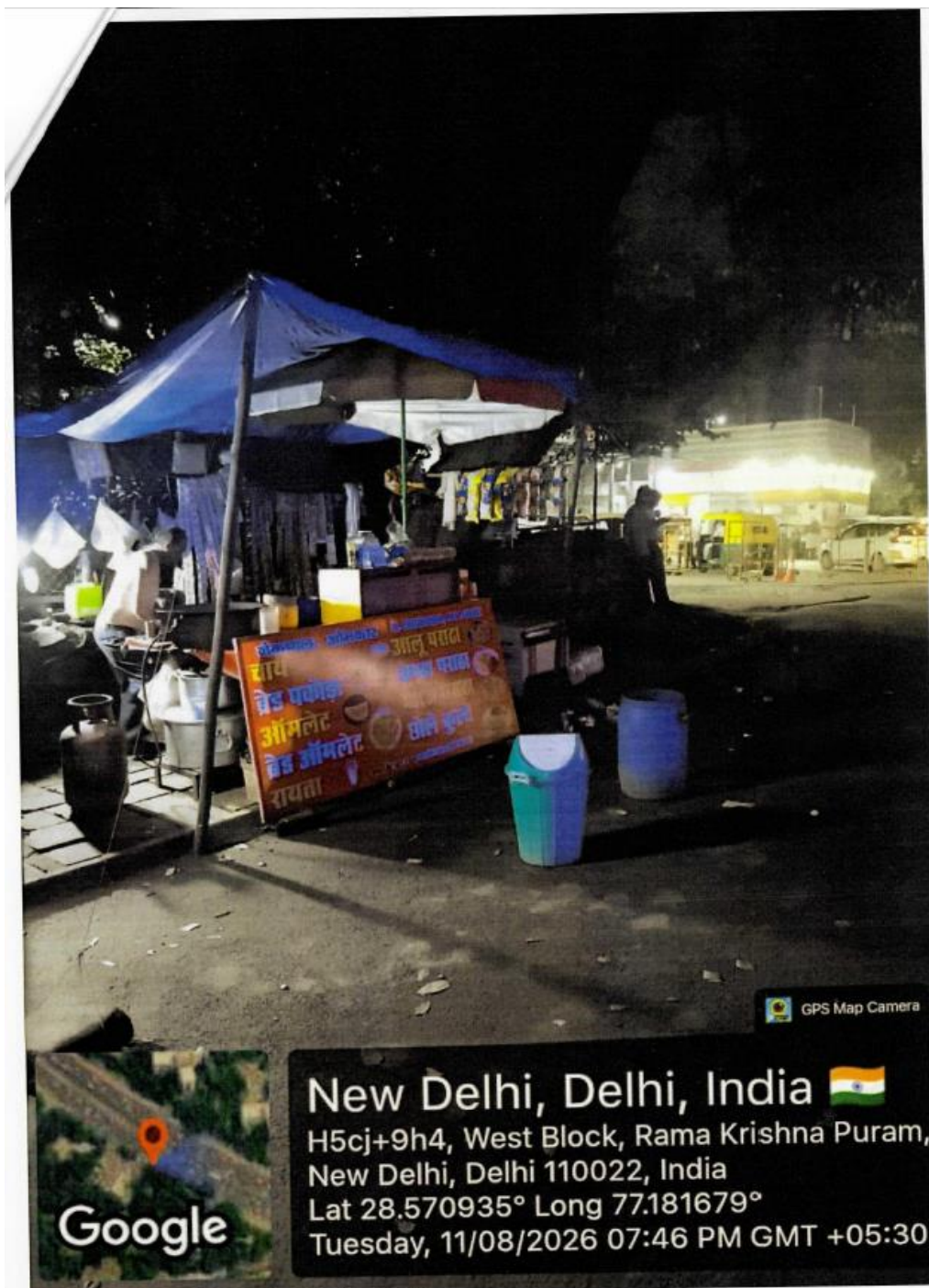
8. The said photographs are extracted below:





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9. The Court has considered the matter and perused the records. A perusal of the photographs placed by the MCD would show that the Petitioner is using 2-3 gas cylinders, occupying the space behind the grill at the park, and causing congestion on the footpath near the petrol pump.



10. The Petitioner cannot be permitted to vend in this manner. The MCD shall take appropriate action against the Petitioner, in accordance with law.
11. Further, the survey which has been concluded also cannot be reopened, at this stage for the Petitioner.
12. 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.
13. The Petitioner's case may be considered by the TVC-II at the relevant point in time, if so required.
14. The above is without prejudice to rights and contentions of either of the parties.
15. The Court has not examined the merits and the genuinity of the *challans*, which have been placed on record.
16. 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.
17. 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