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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

*Date of Decision: 21<sup>st</sup> July, 2026*

*Uploaded on: 23<sup>rd</sup> July, 2026*

+ **W.P.(C) 9829/2026 & CM APPLs.45827/2026, 45828/2026**

MOHD ARFIN & ANR.

.....Petitioners

Through: Ms. Anupradha Singh, Adv. (M:  
8448503772)

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Arti Bansal, ASC, MCD with Ms.  
Shruti Goel, Adv. (M: 9999442349)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE VIKAS MAHAJAN**

**Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.

**CM APPL.45828/2026 (for exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

**W.P.(C) 9829/2026 & CM APPL.45827/2026**

3. The present petition has been filed by two Petitioners *i.e.* Mohd. Arfin and Mr. Subodh Bind, challenging the decision of the Municipal Corporation of Delhi (*hereinafter*, 'MCD') of including them in general category candidates in the elections for constitution of Town Vending Committee (TVC).

4. The case of the Petitioners is that the Petitioner No.1 – Mohd. Arfin belongs to Other Backward Class (OBC) category in Uttar Pradesh and Mr. Subodh Bind belongs to Extremely Backward Class (EBC) category in Bihar, which is equivalent to OBC category in Delhi.

5. Submission of Id. Counsel for the Petitioners is that the guidelines



published by the MCD for election of the members of Town Vending Committee (*hereinafter*, 'TVC') does not state that the candidates have to be OBC in the State of Delhi. Reliance is placed upon the guideline 13(2) of Municipal Corporation of Delhi (Election of the Members of Town Vending Committee from amongst the street vendors) Guidelines, 2026, which reads as under:

***“13. Presentation of nomination paper and requirements for a valid nomination:-***

*.....*

*(2) Where any seat is reserved, a candidate shall not be deemed to be qualified to be chosen to fill that seat unless her nomination paper contains a declaration made by him specifying the particular Schedule Caste, Schedule Tribes, Other Backward Class, Handicapped & Minority of which he is a member.”*

6. Ld. Counsel for the Petitioners thus submits that if both the Petitioners are moved to the general category, despite holding OBC & EBC Certificate, respectively, this would severely prejudice the prospect of getting them elected.

7. On behalf of the Respondent– MCD Ms. Bansal, Id. Counsel submits that the MCD is a local body in Delhi and the certificate of OBC of the respective candidates ought to be issued by Delhi Authorities.

8. The Court has considered the matter.

9. Elections of TVC are extremely crucial and have, in fact, also been monitored by this Court in ***W.P. (C) 2243/2022*** titled ***Sumit Verma v. GNCTD & Ors.*** and other connected matters, where the Court also took on record the timeline provided by the MCD for completion of the election of TVCs.



10. The Supreme Court has also passed necessary directions with respect to the election of TVCs, as is clear from the order dated 6<sup>th</sup> April, 2026 passed in **SLP(C) Nos. 26311-26312/2019** titled **Saptahik Merchant Welfare Association (Registered) v. North Delhi Municipal Corporation & Ors.**, which reads as under:

*“2. We direct reconstitution of the Town Vending Committee as envisaged in the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 by the competent authority as per terms of the aforesaid enactment, within a period of two months from date of service of a copy of this order....*

*3. Once the TVC is re-constituted, decision to identify the vendors and to relocate them shall be taken at the earliest but not later than six months from the date of reconstitution thereof.”*

11. The entire process of issuance of certificates of vending to persons vending in Delhi is presently awaiting constitution of the TVC. Process for elections has already started and there is a proper schedule, which has been published by the MCD, as under:

|                                              |                                            |
|----------------------------------------------|--------------------------------------------|
| Commencement of Nomination Process           | 03 July 2026 (From 11:00 AM to 03:00 PM)   |
| Last Date for Submission of Nomination Forms | 10 July 2026                               |
| Last Date for Withdrawal of Nomination       | 11 July 2026 (Up to 05:00 PM)              |
| Scrutiny of Nomination Forms                 | 11 July 2026 (Up to 05:00 PM)              |
| Publication of Valid Nominations             | 11 July 2026 (After 05:00 PM)              |
| Allotment of Election Symbols                | 13 July 2026 (Before 05:00 PM)             |
| Publication of Final List of Candidates      | 13 July 2026 (Up to 05:00 PM)              |
| Polling Day                                  | 02 August 2026 (From 08:00 AM to 05:00 PM) |
| Counting of Votes & Declaration of Result    | 04 August 2026 (From 08:00 AM onwards)     |



12. Under these circumstances, this Court is not inclined to interdict and create any interference in the said elections.
13. After conclusion of elections, the Petitioners are free to avail of their remedies in accordance with law.
14. The petition, along with pending application, is disposed of in the above terms.

**PRATHIBA M. SINGH**  
**JUDGE**

**VIKAS MAHAJAN**  
**JUDGE**

**JULY 21, 2026/dk/ss**