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

Date of decision: 23rd July, 2026

Uploaded on: 25th July, 2026

+ **W.P.(C) 10045/2026**

KANYAWATI

....Petitioner

Through: Mr. Aditya, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS

.....Respondents

Through: Ms. Meherunnisa A. Jaitley Adv. with
Mr. Aryan Tyagi Adv. for R-1 and 2.
Ms. Vaishali Gupta, Panel Counsel (Civil) Gnctd, Adv. for R-3.

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 inclusion in the elections for the forthcoming Town Vending Committee, South Zone, MCD, under the Other Backward Class (*hereinafter*, 'OBC') category.
3. The case of the Petitioner is that she belongs to the Ghewar community from Uttar Pradesh, and has been issued an OBC certificate, from the said State.
4. Pursuant to the elections guidelines 2026, issued by the MCD for the elections of members of the Town Vending Committee, the Petitioner had submitted her nomination for being elected as one of the representatives of



the street vendors under the OBC Category.

5. However, the grievance of the Petitioner is that her nomination was rejected and was not included in the list of nominated candidates published by the returning officer on 11th July, 2026. Hence, the present petition.

6. Ld. Counsel for the Petitioner urges that the Petitioner's name may be considered under the GENERAL category.

7. On the other hand, ld. Counsel for the MCD submits that there are two reasons why the nomination of the Petitioner was rejected. The same are:

(i) That Ghewar backward caste, which is recognized as an OBC in Uttar Pradesh, is not in the list of OBCs in Delhi.

(ii) That the signature of the Proposer and Secunder was also not there in the nomination form.

8. Mr. Aditya, ld. Counsel submits that the reasons for rejection of nomination have not been communicated to the Petitioner by the MCD.

9. The Court has considered the matter. This Court has already taken a view in respect of the inclusion of street vendors belonging to the reserved categories in the TVC elections, in ***W.P.(C) 9966/2026***, titled '***Dharamveer & Ors. v. Municipal Corporation of Delhi & Ors.***'

10. In ***Dharamveer & Ors. (supra)***, this Court observed that the elections to the TVCs are of considerable significance and that there has been a substantial delay in the constitution of the TVCs in Delhi. The Court further noted that the elections to the TVCs are being conducted pursuant to the directions issued by the Supreme Court in ***SLP(C) Nos. 26311-26312/2019***, titled '***Saptahik Merchant Welfare Association (Registered) v. North Delhi Municipal Corporation & Ors.***'

11. In this regard, the observations of this Court in ***Dharamveer & Ors.***



(*supra*) are as under:

“14. The Court has heard Counsels for the parties. Given this background, it can be seen from the schedule of TVC elections extracted above, that the scrutiny of nomination forms took place between 11th to 13th July, 2026. The final list of candidates was also to be published on 13th July, 2026. The polling day is now 2nd August, 2026, which is almost approaching.

15. The TVC elections are extremely crucial elections as there has been a substantial delay in the constitution of TVCs in Delhi, leading to several issues arising with respect to street vendors across Delhi.

16. The same is also important in the context of the role played by the TVC for finalization of certificates of vending for thousands of vendors in Delhi. Thus these elections, in the opinion of this Court, ought not to be interdicted and held up due to grievances raised by any individual candidates. If such grievances are entertained at this stage, it may completely disrupt the election process itself, which is not feasible, especially after Ballot papers are printed.

17. Moreover, the Supreme Court in **Saptahik Merchant Welfare Association (Registered) (*supra*)**, vide order dated 6th April, 2026 has directed as under:

“1. Learned counsel appearing for the parties have been heard at length.

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. However, such reconstitution is not intended for the purpose of permitting the members of the petitioning Association to resume vending on Netaji Subhash Marg, New Delhi but for the



purpose of their re-location to some other appropriate place for vending.

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

18. The above order also clearly directs that the TVC elections and re-constitution ought to be conducted within a period of two months. This Court is also entertaining several writ petitions where street vendors seek their permanent certificates of vending and the said decisions are now awaiting constitution of TVCs.

19. Under these circumstances, this Court is not inclined to entertain the present writ petition, at this stage of elections of TVCs.

20. Accordingly, the petition, along with pending applications, is dismissed at this stage.

21. Needless to add, the Petitioners are free to avail of their remedies in accordance with law after the elections are concluded.”

12. In terms thereof, considering that this Court has already taken a view in similar matters, the only direction that the Court is inclined to pass, at this stage, is that the election shall not be interrupted or stalled in any manner.

13. The Petitioner is, however, at liberty to avail of her remedies in accordance with law, as after the elections to the TVC have concluded.

14. Needless to add, the MCD may communicate to the Petitioner, within a period of two weeks, the reasons for rejection of nomination, as submitted before this Court today, by way of an appropriate communication.



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15. The petition is disposed of with all pending applications, if any.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 23, 2026/MR/SM