



\$~62

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

Date of decision: 24th March, 2026

Uploaded on: 30th March, 2026

+

W.P.(C) 3758/2026

BACHCHU SINGH & ANR.

.....Petitioners

Through: Mohd. Faisal, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Ms. Meherunnisa Anand and Mr. Sirish Gupta Advs. for R-1 and 2 (M: 9717100486).

Mr. Hussain Taqvi, Sr. Panel Counsel
Along with Ms. Soumya Saxena, Ms. Nazma Akhtar, Mr. Waseem and Ms. Madiha, Advocates for Delhi Police (M: 9911694947).

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners-Mr. Bachchu Singh and Mr. Rama Kant under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents and restraining them from evicting the Petitioners from the vending sites opposite Mansarovar Building, Nehru Place Commercial Complex, New Delhi.
3. The present petition is the third writ petition filed by the Petitioners. Since there is a history to this litigation, the same is being captured hereinafter.



4. Initially, the Petitioners were removed from the vending sites in May, 2016, which led to filing of ***Writ Petition (Civil) 2566/2017*** titled '***Bachchu Singh and Anr. v. South Delhi Municipal Corporation and Ors.***'. The grievance of the Petitioners in the said petition was that they were being constantly harassed and victimised by the concerned officials of the Municipal Corporation of Delhi and police, who were not allowing the Petitioners to vend from the vending site in Nehru place area. The Petitioners in the said petition stated that they have been vending at the vending sites in the Nehru Place area, since 2004.

5. In ***Writ Petition (Civil) 2566/2017***, reliance was also placed upon the order passed by Division Bench of this Court in ***LPA No. 766/2008*** titled '***Manushi Sangathan, Delhi v. Delhi Development Authority & Ors.***' dated 17th April, 2009. It was stated that Nehru Place is a No-vending Zone, however, only 67 vendors were allowed to hawk in the area, who were under the umbrella of Manushi Sangathan. Further, 85 other vendors were granted protection by various orders of this Court.

6. Pertinently, the order dated 17th April, 2009 was challenged before the Supreme Court in a batch of petitions and the Supreme Court in ***SLP (Civil) 29277/2009*** vide order dated 25th April, 2011 affirmed the aforesaid position and disposed of the SLP in the following terms:

"This petition is directed against order dated 17.04.2009 of the Division Bench of the Delhi High Court, the operative portion of which reads thus:

"In view of the above findings, we dispose of the present Letters Patent Appeal by directing DDA to continue with the pilot project. Accordingly, 67 vendors (reduced to 67 from 68 as per the statement



2026:0



DHC:2626-DB

made by the appellant-NGO) will be permitted to hawk in the area which was demarcated by DDA prior to their removal on 19th April, 2008. However, it will be open to DDA to examine whether Nehru Place or the said area should be declared a non-hawking area and if required, demarcate vending/non-vending areas in Nehru Place. Removal/shifting of the hawkers under the pilot project, if required, will directions issued by the Supreme Court in the case of Sudhir Madan (supra). The question whether Nehru Place should be declared as no hawking zone and the question of demarcating non-vending areas will be decided by the DDA after making reference to the Ward Vending Committee and on the basis of the directions issued by the Supreme Court and in terms of the Scheme of the MCD. We may note that MCD has stated that they had already allotted alternative site to some hawkers out of the list of 67 street vendors. If any of said hawkers have already opted for the new site, they will not be entitled to the benefit of this Order. The Appeal is accordingly allowed to the extent indicated above.”

Arguments in the case were heard on different dates and the judgment was reserved on 26.10.2010. Thereafter, the parties filed written submissions and some affidavits. In paragraph 5 of affidavit dated 07.12.2010, Shri S.R.Solanki, Chief Engineer, South Zone, Delhi Development Authority, has made the following statement:-

"5. The Petitioner authority also submits that as an interim measure and till such time, the ward vending committee takes a decision on the eligibility and relocation of the 67 hawkers under the umbrella of the respondent No.1 and other 85 hawkers sitting under various orders of different courts at Delhi, the Petitioner authority shall not take any coercive action to remove these persons. However, the



Petitioner authority also submits that the same may not been 3 taken as a concession on behalf of the Petitioner authority to give up its case of the NPDC being declared as No Hawking Zone or an admission on the part of the Petitioner authority for other hawkers to use Nehru Place District centre as hawking site."

In our opinion, the stand taken in the above reproduced paragraph of the affidavit of Shri Solanki is in consonance with the direction given by the Division Bench of the High Court. Therefore, the special leave petition is disposed of as infructuous."

From the above order passed by the Supreme Court it is clear that apart from the decision to be taken regarding eligibility and relocation of certain vendors, DDA was to take a decision on whether Nehru Place was to be declared as a Non-Vending Zone. In addition, no coercive measures were to be taken only in respect of the 67 and 85 hawkers who were given protection.

7. Thereafter, the Division Bench of this Court in ***Writ Petition (Civil) 2566/2017*** came to the conclusion that the Petitioners do not have any rights to hawk in the Nehru Place District Center as the names of the Petitioners do not appear in any of the approved lists which were prepared under the directions of the Supreme Court by the Thareja Committee in 1992 and the Chopra Committee in 1996. Nehru Place district was declared to be a No-vending zone, and the petition was dismissed. The relevant portion of the Division Bench judgment dated 7th September, 2017 in ***Writ Petition (Civil) 2566/2017*** is set out below:

“[...]

15. We have heard the learned counsels for the parties.



2026:0



DHC:2626-DB

The basic facts are not in dispute, i.e. both the petitioners claim to be street vendors and claim to be carrying out hawking activities at Nehru Place District Centre. The petitioners claim that they are regular street vendors and thus, are entitled to protection under Section 3(3) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. It is also the stand of the petitioners that till the TVC is functional, they should be allowed to vend at their respective sites and earn their livelihood. Photographs have been filed in support of their existence at the site.

16. We are unable to accept the submission of the learned counsel for the petitioners, for the reason that in case the petitioners were regular street vendors, their names would have found mentioned in either of the two lists prepared under the directions of the Supreme Court by Thareja and Chopra Committees. We also find that in the affidavit filed before the Supreme Court, various lists were provided of the persons who were either part of the Manushi Sangathan (supra) or those vendors who had approached different Courts and were granted protection. In case, the petitioners were regular street vendors, certainly their names would have figured in any of the proceedings, which is not there.

17. Additionally, prima-facie, we are of the view that the DDA (erstwhile Land Owning Agency) and the MCD have taken a consistent stand that Nehru Place District Centre is a “No Hawking No Vending” zone and they shall not allow any other person to vend except for those persons who find mentioned in their affidavit and form part of the order of the Supreme Court which has been reproduced above and some other persons who have been granted protection by different Courts.

18. Copy of the minutes of the meeting dated 10.08.2009,



post the order passed by the Division Bench in Manushi Sangathan, have been filed in LPA No.623/2016, which is also listed today. Relevant portion reads as under:-

“Item No.55/2009

*Sub: Rejuvenation of District Centre Nehru Place,
New Delhi F.10(7)/07/CC-XV/DDA*

The Authority also discussed the issue of rejuvenating the Nehru Place District Centre. After detailed discussions, it was decided that Nehru Place District Centre should be declared as “No Hawking Zone”.

2) The Authority also decided that separate areas should be identified and earmarked as vending zones in different parts of the city.

XXX

21. Taking into consideration the submissions made by the learned counsel for the parties, we are of the view that the DDA, erstwhile land owning agency, and the SDMC, have taken a consistent stand that Nehru Place District Centre has been declared as a No Hawking and No Vending Zone, however, while deciding LPA No. 766/2008 a Division Bench of this Court while disposing of the LPA directed to continue with the pilot project and the appellant-NGO Vendors of Manushi were permitted to hawk in the area demarcated by the DDA. It was left open to the DDA to examine whether Nehru Place or the said area should be declared a no hawking area. After the passing of the order by the Division Bench on 17.4.2009, the matter was considered by the DDA in the meeting held on 10.8.2009. The Minutes of the meeting have been extracted. The minutes were duly confirmed. Subsequently, as stated in the affidavit filed before the



2026:0



DHC:2626-DB

*Supreme Court of India, protection was granted in the LPA only to members of Manushi Sangathan and certain other street vendors who were enjoying protection of orders passed by different Courts. **The names of both the petitioners do not find mentioned in either of the list prepared by Thareja Committee, 1992 or Chopra Committee. Resultantly, we find no merit in the present writ petition and the same is accordingly dismissed***

8. The said order dated 7th September, 2017 was challenged by the Petitioners in ***SLP Civil 28875/2018*** wherein initially a *status quo* order was granted. The said SLP was tagged along with ***SLP(Civil) No. 19192/2018***, which was preferred by Manushi Sangathan. The order dated 24th August, 2018 passed by the Supreme Court in ***SLP Civil 28875/2018*** is extracted below:

*“Permission to file SLP is granted.
Application seeking exemption from filing c/c of the impugned judgment is allowed.
Delay condoned.
Issue notice.
Status quo, as it exists today, shall be maintained by parties in the meantime.
Tag with SLP(Civil) No. 19192 of 2018.”*

9. Thereafter, the said SLP was finally dismissed on 6th January, 2022 in the following terms:

“We have heard the learned counsel for the parties.

At the outset, it is required to be noted that, the present Special Leave Petitions was tagged with SLP (C) No. 19192/2018. On the basis of the order passed in SLP (C) No. 19192/2018, in the present matter, this Court directed to issue notice and directed to maintain status quo by the parties.



It is reported and it is not in dispute that the said Special Leave Petition (C) No. 19192/2018 has been dismissed by the coordinate Bench of this Court, vide order dated 05.02.2020.

In that view of the matter, the present Special Leave Petitions also stand dismissed. Ad-interim relief granted earlier stands vacated.

Pending application stands disposed of.”

Thus, the SLP filed by the Petitioners was dismissed and the interim order was also vacated.

10. Pursuant thereto, the Petitioners had approached the Division Bench of this Court by way of a second writ petition being ***Writ Petition (C) 506/2025*** titled ‘***Bachchu Singh and Anr. v. Municipal Corporation of Delhi & Ors***’. In the said petition, vide order dated 4th March, 2025 the entire chronology of the events was recorded by the Court and while dismissing the petition, the Court again held that the Petitioners do not have any rights to vend in the Nehru Place area. The relevant portion of the order dated 4th March, 2025 is set out below:

“[...]

4. In view of the above, we find merit in the contentions advanced on behalf of the MCD that the relief sought by the petitioner is not required to be re-visited.

5. The learned counsel appearing on behalf of the petitioner submits that the petitioners are similarly placed as members of Manushi Sangathan. He submits that certain protective orders have been passed to permit members of Manushi Sangathan to vend in the



2026:0



DHC:2626-DB

given area at Nehru Place notwithstanding that it has been declared as a no vending/no hawking zone and the petitioners must be extended a similar relief.

6. *We note that the said contention has also been examined by this court in the earlier writ petition filed by the petitioner being W.P.(C) 2566/2017. The order dated 07.09.2017 disposing of the said petition expressly records that the counsel for the petitioners had referred to the decision of the Division Bench of this Court in LPA no.766/2008 captioned **Manushi Sangathan, Delhi v. Delhi Development Authority & Ors.** It is pointed out to the court that 67 (sixty-seven) vendors were permitted to vend in the said area, who were under the umbrella of Manushi Sangathan. Additionally, 85 (eighty-five) number of other vendors were also protected by various orders passed by this court.*

7. *In a meeting held on 10.08.2009 under the chairmanship of Hon'ble Lieutenant Governor of Delhi, it was decided that the area Nehru Place District Centre should be declared as a no-hawking Zone.*

8. **This court had found that the petitioners were not amongst the vendors who had secured protective orders. The court also found that the petitioners were not the regular street vendors as their name did not appear in the list prepared by the Thareja Committee in the year 1992 or the Chopra Committee, under the orders of the Supreme Court in 1989 and 1994.**

9. *The relevant extract of the said decision is set out below:*

“17. Additionally, prima-facie, we are of the view that the DDA (erstwhile Land Owning Agency) and the MCD have taken a consistent stand that Nehru Place District Centre is a “No Hawking No



Vending” zone and they shall not allow any other person to vend except for those persons who find mentioned in their affidavit and form part of the order of the Supreme Court which has been reproduced above and some other persons who have been granted protection by different Courts.

**** ***

21. Taking into consideration the submissions made by the learned counsel for the parties, we are of the view that the DDA, erstwhile land owning agency, and the SDMC, have taken a consistent stand that Nehru Place District Centre has been declared as a No Hawking and No Vending Zone, however, while deciding LPA No. 766/2008 a Division Bench of this Court while disposing of the LPA directed to continue with the pilot project and the appellant-NGO Vendors of Manushi were permitted to hawk in the area demarcated by the DDA. It was left open to the DDA to examine whether Nehru Place or the said area should be declared a no hawking area. After the passing of the order by the Division Bench on 17.4.2009, the matter was considered by the DDA in the meeting held on 10.8.2009. The Minutes of the meeting have been extracted. The minutes were duly confirmed. Subsequently, as stated in the affidavit filed before the Supreme Court of India, protection was granted in the LPA only to members of Manushi Sangathan and certain other street vendors who were enjoying protection of orders passed by different Courts. The names of both the petitioners do not find mentioned in either of the list prepared by Thareja Committee, 1992 or Chopra Committee. Resultantly, we find no merit in the present writ petition and the same is accordingly dismissed.”

10. In view of the above the present petition is also



required to be dismissed as there are no grounds to re-examine the grievances raised by the petitioner. The petition is, accordingly, is dismissed.

11. The pending application is also disposed of.”

11. The above Division Bench order dated 4th March, 2025 was challenged before the Supreme Court in ***SLP (Civil) 13640/2025*** titled ‘***Bachchu Singh & Anr. v. Municipal Corporation of Delhi & Ors***’. The said SLP was disposed of by the Supreme Court *vide* order dated 16th May, 2025 in the following terms:

*“Learned counsel for the petitioners sought permission to withdraw this Special Leave Petition **with liberty to approach the concerned authorities.***

Submission of learned counsel for the petitioners is placed on record.

Special Leave Petition is dismissed as withdrawn with the aforesaid liberty.

Pending application (s), if any, shall stand disposed of.”

12. Ld. Counsel for the Petitioners submits that it is pursuant to the said liberty which was granted by the Supreme Court *vide* order dated 16th May, 2025, that the Petitioners have approached this Court by way of the present petition.

13. Further, Id. Counsel for the Petitioners also submits that the Petitioners are similarly placed to the other hawkers and vendors who have been protected by this Court in ***LPA No. 766/2008*** titled ***Manushi Sangathan,***



Delhi v. Delhi Development Authority & Ors.

14. However, this position is disputed by Id. Counsel for the Municipal Corporation of Delhi (*hereinafter*, 'MCD'). It is submitted that the Petitioners have repeatedly approached this Court, however, their writ petitions have been rejected and they are not entitled to any relief.

15. Heard the Id. Counsel for the parties. It is a matter of which judicial notice can be taken that Nehru Place has been declared as a No-vending and No-hawking zone.

16. Sometime in 2021, a fire incident took place at the Nehru Place, District Commercial Complex. The Division Bench of this Court in *W.P.(C) 8430/2021* titled '*Court on its own Motion v. Govt of NCT of Delhi and Ors.*' took *suo moto* notice of the matter. *Vide* order dated 13th August, 2021, the Court had taken cognizance of the fact that the enormity of the problem was caused by the vendors and hawkers in the said area. It was also noted that the Nehru Place area has been declared as a No-hawking and No-vending zone, yet the hawkers and vendors come back after the removal drive is over. In this background the court had directed as under:

“[...]”

4. We direct the Delhi Police as well as the SDMC to ensure, on a daily basis, that there is no hawking and vending resorted to at the Nehru Place, District Commercial Centre by any person who does not have an operative order of protection granted by any Court. The SHO, PS Kalkaji and the Executive Engineer concerned of the SDMC under whose jurisdiction the said area falls, shall be personally responsible to ensure compliance of this direction, and failure to do so on their part shall invite strict action against them by the Court.



5. *The SHO has informed us that the re-development work has been going on in the Nehru Place, District Commercial Centre for a long time, and the agency is not completing the work.*

6. We direct the SDMC, Delhi Police, and the DDA to hold a joint meeting, and to place before the Court, status report(s) with regard to the implementation of the no-hawking no-vending policy qua Nehru Place, District Commercial Centre. The status report should disclose the particulars of all such agencies employed, and should also disclose as to which of the authorities, namely DDA or SDMC is getting the work done.

7. The status report(s) should also disclose all the orders of stay, as operative, which are claimed to be the reason why all encroachers, hawkers and vendors are not being removed from the said area despite it being declared as no-hawking no-vending zone.”

17. It is clear that permitting of hawkers and vendors to vend in the Nehru Place area has raised severe safety and security concerns for the entire commercial complex itself. It is only a limited number of vendors, who have been allowed to vend in the said area, for whom also directions were passed by the Supreme Court for considering re-location or creation of an ear-marked area.

18. The Petitioners do not have any rights to be vending in the Nehru Place area and the same has been repeatedly held by Division Bench of this Court, *vide* order dated 7th September, 2017 in ***Writ Petition (Civil) 2566/2017*** and *vide* order dated 4th March, 2025 in ***Writ Petition (Civil) 506/2025***.

19. Under these circumstances, the relief sought by the Petitioners, to



permit them to vend in the Nehru Place area cannot be acceded to.

20. In fact, when the initial Division Bench order was passed on 7th September, 2017 in ***Writ Petition (Civil) 2566/2017***, by the said time, the Petitioners had already been evicted from the Nehru Place area. The relevant portion of the order dated 7th September, 2017, reads as under:

“1. Two petitioners have filed the present petition. Petitioner No. 1 claims to be vending at Mansrover Building, Nehru Place, since the year 2008 and petitioner No. 2 claims to be vending at Skylark Building, Nehru Place, New Delhi since the year 2004.

*2. The grievance of the petitioner is that they are being consistently harassed and victimised by the official of the respondent Nos. 1 and 2, **despite the fact that they are regular squatters. Learned counsel for the petitioners further submits that the petitioner's stand removed May, 2016....**”*

21. Upon a query from this Court, Id. Counsel for the Petitioners submits that the Petitioners are presently vending in the Nehru Place area. This would be completely contrary to the Division Bench orders of this Court, which have also been upheld by the Supreme Court.

22. In fact, it is inexplicable as to how the Petitioners are being permitted to vend in the Nehru Place area.

23. Accordingly, the MCD shall take immediate action and ensure that no unauthorized vendors are allowed to vend in the Nehru Place area. The Petitioners are thus not entitled to any relief.

24. The petition is dismissed with costs of Rs.10,000/-, to be deposited with the Delhi High Court Legal Service Committee. The bank details of Delhi High Court Legal Service Committee is as follows:



- ***Name: Delhi High Court Legal Services Committee***
- ***Account No: 15530110008386***
- ***IFSC Code: UCBA0001553***
- ***Bank and Branch: UCO Bank, Delhi High Court***

25. List for compliance on 21st May, 2026.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

**MARCH 24, 2026
MR/SM**