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

+ **W.P.(C) 11073/2024**

BHARAT BHUSHAN

.....Petitioner

Through: Mr. Kotla Harshavardhan and Ms.
Rishbha Arora, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ANRRespondents

Through: Ms. Lalam, Proxy Counsel for Ms.
Tajinder Viridi, SC.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **17.02.2026**

1. This hearing has been done through hybrid mode.

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2. The present application has been filed by the Petitioner under Section 151 of the Code of Civil Procedure, 1908, *inter alia*, seeking directions to the Respondent to issue the Certificate of Vending to the Petitioner.

3. The Petitioner is a street vendor and has 100% visual impairment. The Petitioner has been running fruit selling *Khokha*, near the Sultanpuri Bus Stand, Rohini, Delhi.

4. The case of the Petitioner is that he has not been issued the Certificate of Vending (*hereinafter*, 'CoV'), despite repeated orders that have been passed by this Court.

5. The chronology of the events in the present case is that, the Petitioner had filed a writ petition bearing no. **W.P.(C) 1333/2018** titled '**Bharat**



Bhushan v. Municipal Corporation of Delhi and Anr. wherein vide order dated 18th July, 2018 it was directed as under:

“The petitioner claims to be a regular street vendor and stated to be vending near Bus Terminal, Sultanpuri, Rohini. Fearing dispossession at the hands of the respondents has led to the filing of the present writ petition.

Counsel for the petitioner submits that since the election of the first Town Vending Committee (TVC) has taken place, the petitioner would approach TVC with all supporting documents as and when it becomes functional and, if for any reason, the petitioner is not found squatting, that alone should not be a ground to reject his case. He prays that a direction be issued to TVC to consider his case in accordance with law.

Counsel for the respondents, without admitting any of the averments made in the writ petition, submits that should the petitioner make an application with all supporting documents before the TVC, the same would be considered in accordance with law and merely because the petitioner is not found squatting, that itself alone would not be a ground to reject the case of the petitioner.

Resultantly, the writ petition is disposed of with the following agreed directions:

(i) The petitioner will approach the TVC as and when it is functional with all supporting documents; and

(ii) The TVC will consider the case of the petitioner in accordance with law and merely because the petitioner is not found vending at the



site at the time of survey, that by itself would not be a ground alone to reject his case.

We make it clear that we have not expressed any opinion on the merits of the case.
The writ petition stands disposed of.”

6. In terms of the above order, the Court had directed the Town Vending Committee (*hereinafter*, ‘TVC’) to consider the case of the Petitioner, as and when it becomes functional.

7. However, the Petitioner’s case was not considered. In view thereof, the Petitioner filed a contempt petition being **CONT.CAS(C) 984/2019** titled ‘**Bharat Bhushan v. Varsha Joshi**’. Vide order dated 21st April, 2023 the said contempt petition was disposed of in the following terms:

“[...]

9. This Court take judicial notice that there are several persons who are awaiting the survey so that their claims can be verified for issuance of certificate of vending; and there are multiple orders being passed by the coordinate Benches and the Division Benches directing the TVC to verify the claim of the said persons. The compliance of the said orders can only be done if the TVC carries out a survey as per its statutory mandate. In this case itself, the orders under compliance are of the year 2018 and the Petitioner is still awaiting the verification of his claim after nearly 5 years. Accordingly, the Respondent is directed to take steps to convene a meeting of TVC for initiating a survey in accordance with its statutory obligations under Section 3 (1) of the Street Vendors Act.

10. The learned counsel for the Respondent,



MCD states that TVC will hold a survey preferably within a period of eight (8) weeks and in any event, not later than twenty-four (24) weeks from today. The Respondent is bound down to this statement.

Khokha

11. The learned counsel for the Respondent further states that the Respondent shall abide by the statement made on 23.01.2023, regarding return of the seized Khokha to the Petitioner. He states that all the formalities for release have been complied with and the Petitioner herein is at liberty to collect the Khokha from the concerned officer.

12. The Petitioner is at liberty to collect the Khokha on or before 01.05.2023, failing which, the Respondent will have liberty to dispose of the Khokha in accordance with law and the Petitioner herein will not be entitled to raise any claims or objections.

13. **In view of the interim arrangement made at the TVC meeting dated 16.01.2023 and the statements made by the Respondent to hold a survey imminently, this Court is of the opinion that the present proceedings for contempt need not be proceed with and the same are disposed of. The Respondent and the TVC are bound down to the statements made to this Court.**

8. A perusal of the order dated 21st April, 2023 would show that the Court



directed the TVC of the Municipal Corporation of Delhi (*hereinafter*, ‘MCD’) to hold a survey within 8 weeks, and in any case, not later than 24 weeks.

9. Despite the stringent directions given by the Court, it appears that no relief was given to the Petitioner.

10. Thereafter, the TVC held its meetings and a decision was taken as recorded in the ‘*Minutes of the Meeting*’ dated 16th January, 2023. The relevant portion of the said Minutes of meeting is set out below:

“[...]

e. However, keeping in mind, what felt from the Hon’ble Court, during the course of hearing, it was decided by TVC that Sh. Bharat Bhushan could be assured that as & when survey of Street Vendors shall commence, in near future, his survey would be conducted, on priority & he would be given one more fair chance to submit documents. In the meantime, he may carry out vending activity so that his survey could be conducted & he could earn his livelihood by squatting in the area i.e. near Sultan Puri Bus Stand (without erecting any permanent structure/Kiosk/Booth/Khoka). This shall be subject to the condition that Sh. Bharat Bhushan shall not erect any permanent structure/Khoka/Kiosk/Booth etc. He shall also not cause any encroachment of Right of Way (ROW) or cause any obstruction to pedestrians/movement of traffic, as per the mandate of the Street Vending Act.”

11. It is clear from the aforesaid ‘*Minutes of the Meeting*’, that the Petitioner is to be permitted to carry out his vending activities, however, the same was allowed without him erecting any permanent structures.

12. Pursuant to the order dated 21st April, 2023, the Petitioner collected his



Khokha and a request was made to the MCD for electricity connection for the *Khokha*. However, the same was denied on the ground that the CoV had not been granted to the Petitioner.

13. According to the Petitioner, the police officials have been creating obstacles for the Petitioner to run his *Khokha*, on the ground that he does have the CoV. This position has continued till date.

14. Thereafter, a survey was conducted on 29th August, 2025 by the TVC, and the Petitioner is stated to have participated in the survey which was conducted.

15. Accordingly, *vide* order dated 21st November, 2025 the Court had disposed of the present petition in the following terms:

“10. In the aforesaid background, what remains to be considered by the respondent-MCD through its Town Vending Committee is that whether post survey, the petitioner can be said to be entitled for the issuance of the COV particularly having regard to his social status as that of 100% visual disability.

11. The petitioner having participated in the survey which is a fact borne out from the record and also from the aforesaid orders, we deem it appropriate to dispose of the present petition by directing the respondent no.1 through its Town Vending Committee to communicate to the petitioner within the reasonable period as regards the issuance of vending certificate in his favour.

12. In case if the vending committee is of the view that petitioner is not entitled for the vending certificate, a reasoned order to that effect must be communicated to the petitioner.



13. We need not to clarify that till such period the decision is communicated to the petitioner as regards his entitlement for issuance of COV, the interim orders passed by this Court shall continue to operate.

14. The petition, accordingly, stands disposed of in the above terms.”

16. A perusal of the order dated 21st November, 2025 would show that the MCD through its TVC was to communicate to the Petitioner about the issuance of the CoV. However, the same has not been communicated to the Petitioner till date.

17. Therefore, the present application has been filed by the Petitioner, seeking compliance of the order dated 21st November, 2025.

18. Ms. Tajinder Viridi, Id. Counsel for the MCD is stated to be unavailable.

19. Ms. Lalam, appearing on behalf of Id. Counsel for the MCD submits that she is only a proxy Counsel and does not have any instructions in the matter.

20. It is noticed that on several dates, adjournments have been sought in the present matter.

21. The plight of the Petitioner does not appear to evoke any response from the MCD. The Petitioner, who is a 100% visually disabled person, has been made to run from pillar to post by the MCD.

22. The Petitioner has been in litigation with the MCD for several years now and despite repeated orders of this Court, both in writ jurisdiction as well as in the contempt jurisdiction, the MCD has not issued the CoV to the Petitioner.

23. Under these circumstances it is directed that the Assistant



Commissioner, MCD, Rohini Zone shall remain present in Court, on the next date of hearing.

24. In addition, an affidavit shall be filed by the Assistant Commissioner, MCD, Rohini Zone stating the following:

- (i) The reasons for non-issuance of the CoV to the Petitioner, despite repeated orders passed in this regard;
- (ii) The affidavit shall also address as to what reasonable accommodation can be extended to the Petitioner, in compliance with the provisions of the Rights of Persons with Disabilities Act, 2016, having regard to the fact that he is a visually disabled person.

25. Though the Petitioner is being represented by a legal aid Counsel, the MCD shall pay costs of Rs. 10,000/- to the Petitioner for the expenses that the Petitioner has repeatedly incurred.

26. List on 12th March, 2026.

27. Copy of this order shall be communicated to the Assistant Commissioner MCD, Rohini Zone through the Id. Counsel for the MCD.

28. *Dasti.*

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

FEBRUARY 17, 2026/prg/sm