



2025:DHC:10303-DB

\$~37 to 41 & 26

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

+ W.P.(C) 823/2024 and CM APPL. 8714/2024 (Direction)

RAJENDER KUMAR GUPTAPetitioner
Through: Mr. Kamlesh Kumar Mishra,
Ms. Renu and Mr. Fareeduddin,
Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS
.....Respondents

Through: Ms. Shweta Priya, Adv. for
MCD
Mr. Rishikesh Kumar, ASC-
GNCTD with Ms. Sheenu
Priya, Mr. Vikas Saini, Mr.
Atik Gill, Mr. Sudhir Kumar
Shukla and Mr. Sudhir, Advs.

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+ W.P.(C) 2265/2024

SHIV PRASAD AND ORSPetitioners
Through: Mr. Aditya, Mr. Kailash Kumar
Jha and Mr. Anjani Kumar
Mishra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS
.....Respondent

Through: Mr. Tushar Sannu, SC for MCD
Mr. Abhinav Garg, Panel
Counsel for GNCTD with Mr.
Mihir Gujjewar, Advs. for
GNCTD
Ms. Sreeja Pal, Adv. for R-2

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+ W.P.(C) 11073/2024 and CM APPL. 56842/2024 (Addl.
Document)

BHARAT BHUSHANPetitioner
Through: Mr. Kotla Harshvardhan and
Mr. Anmol Gupta, Advs.



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versus
MUNICIPAL CORPORATION OF DELHI & ANR

.....Respondents

Through: Ms. Tajinder Viridi, Standing
Counsel for R-1
Ms. Sreeja Pal, Adv. for Mr.
Divyansh Nandrajog, Panel
Counsel for R-2/GNCTD

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+ W.P.(C) 4918/2024

MOHIT VALECHA AND ORSPetitioners

Through: Mr. Paul Kumar Kalai and Mr.
Lemmila Mahong, Advs.

versus
GOVT. OF NCT OF DELHI AND ORSRespondents

Through: Mr. Tushar Sannu, SC for MCD
Mr. Himanshu Pathak, SPC
with Mr. Amit Singh,
Advocate. for R-3/Delhi Police
Ms. Puja S. Kalra, SC for MCD
Mr. Rishikesh Kumar, ASC-
GNCTD with Ms. Sheenu
Priya, Mr. Vikas Saini, Mr.
Atik Gill, Mr. Sudhir Kumar
Shukla and Mr. Sudhir, Advs.

41

+ W.P.(C) 7895/2024

CHARAN SINGH AND ORSPetitioners

Through: Mr. Aditya, Mr. Kailash Kumar
Jha and Mr. Anjani Kumar
Mishra, Advs.

versus
CHAIRMAN, TVC-I, SHAHDARA SOUTH ZONE AND
ORS.Respondents

Through: Mr. Tushar Sannu, SC for MCD
Ms. Puja S. Kalra, SC for MCD
Mr. Rishikesh Kumar, ASC-
GNCTD with Ms. Sheenu
Priya, Mr. Vikas Saini, Mr.
Atik Gill, Mr. Sudhir Kumar



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Shukla and Mr. Sudhir, Adv.

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+ W.P.(C) 2243/2022 and CM APPL. 6444/2022 (Lengthy Synopsis & List Of Dates), CM APPL. 18235/2022 Amendment), CM APPL. 8930/2023 (54 Days Delay in C.A.)

SUMIT VERMA

.....Petitioner

Through: Counsel (appearance not given)
versus

GOVERNMENT OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Manish Mohan, CGSC
with Mr. Jatin Teotia, Mr.
Samarth Talesara, Ms. Aishani
Mohan, Adv. for UOI
Ms. Mehak Nakra, ASC (C)-
GNCTD with Ms. Gunjan
Suyal, Mr. Bhavya Nakra, Ms.
Salonee and Mr. Aditya Goyal,
Adv.
Mr. Sriharsha Peechara, SC
with Mr. Akshat Kulshrestha
and Mr. D.S. Bhanu, Adv. for
NDMC
Mr. Tushar Sannu, SC for MCD

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

09.12.2024

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1. We take note of the issues which had come to be flagged in our order of 18 November 2024 and the Status Report which has been filed on behalf of the **Municipal Corporation of Delhi**¹ in W.P. (C) No. 2243/2022.

2. From the disclosures made therein and more particularly paragraph 3 thereof, we find that as per the MCD, a total of 26 **Town**

¹ MCD



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Vending Committees² came to be constituted in respect of the 12 zones falling in its jurisdiction. The affidavit stops at making a further disclosure with respect to the remainder zones and whether the TVCs for those zones have also been constituted since then.

3. The affidavit then alludes to two separate surveys which are stated to have been initiated and initially concluded as per the details provided in paragraph 5 of that report. As per the MCD, thereafter and in 2023, three agencies came to be identified for the purposes of undertaking a fresh survey. The MCD also alludes to the exercise which is now presently being undertaken for conclusion of the survey and for linking of all the ‘found’ street vendors on the basis of Aadhar.

4. The affidavit also fails to disclose any steps that may have been taken by the MCD in light of the statutory obligation which stands placed by virtue of Section 21 of the **Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014**³.

5. Insofar as the Status Report of the **New Delhi Municipal Corporation**⁴ is concerned, and the last of which was filed on 22 April 2024, it fails to deal or engage with the issues which had been pointed out and highlighted in our order of 18 November 2024.

6. We note that this Court is deluged daily by several writ petitions by street vendors who claim protection and are aggrieved by a failure on the part of the municipal bodies to conduct and conclude surveys or deal with applications made by individuals for relocation and rehabilitation. There is thus an imperative and pressing need to closely monitor the steps that have been taken by the MCD and NDMC till date as also to lay out a road map for further action being

² TVCs

³ Act



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taken in light of the provisions of the Act. The impasse, in any case, cannot be permitted to fester and continue.

7. In view of the aforesaid, we request the Commissioner of the MCD as well as the Chairperson of the NDMC to file their affidavits in these proceedings dealing with the following issues:-

- (a) Number of zones falling under the jurisdiction of each of the respective bodies.
- (b) The zones in respect of which TVCs have been already constituted.
- (c) Period within which the constitution of remainder TVCs, if any, shall be concluded.
- (d) The details of the surveys undertaken till now.
- (e) The procedure and steps liable to be taken for linking the 'found' street vendors with Aadhar.
- (f) The creation of appropriate vending zones as per the statutory obligations under Section 21.

8. Those affidavits shall be filed within a period of three weeks from today.

9. All further filings shall made in W.P.(C) 2265/2024 only. The copies of annexures/filings made by MCD or the NDMC shall also be provided to learned counsels appearing for the writ petitioners.

10. Let these matters be called to review progress on 23.01.2025.

YASHWANT VARMA, J.

DHARMESH SHARMA, J.

DECEMBER 09, 2024/sp

⁴ NDMC