



\$~41

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

+ **W.P.(C) 16049/2023 & CM APPL 64549/2023(stay)**

MR. RAJEEV CHABRA

.....Petitioner

Through: Mr. Madan Mohan Kashyap &
Ms. Poonam Seth, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ANR.

.....Respondents

Through: Ms. Tajinder Viridi, Standing Counsel
for R-MCD & Ms. Shilpa Ohri Addl.
Standing Counsel for R-MCD (thru
VC)

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

%

13.11.2025

CM APPL. 70915/2025 (for early hearing)

1. The original allottee, *Sh. Dwarka Chand*, expired on 26th September 1994, under whose name the *tehbazari* was granted. His widow, *Smt. Mahinder Kaur*, appears to have executed a Power of Attorney in favour of petitioner, *Sh. Rajeev Chabra*, who sought *tehbazari* rights thereafter.
2. Apart from the statutory embargo under the *Government of National Capital Territory of Delhi Street Vendors(Protection of Livelihood and Regulation of Street Vending) Scheme, 2019*, particularly *Clause 2.1.10*, even the judgment of the Apex Court in matter of ***Sudhir Madan & Ors. v MCD & Ors.*** (2007) 15 SCC 497, particularly *paragraphs 3 and 14*, holds that rights to carry out *tehbazari* are not transferable.



3. In that view of the matter, rightly so, counsel for respondent has raised an objection to the very *locus* of the petitioner.
4. Counsel for petitioner states that he be granted time to prepare and address the matter, if so required, by placing on record the judgments within a period of two weeks from today.
5. It is made clear that there are no vested rights of vending in favour of petitioner until this petition is decided by this Court.
6. The application stands disposed of in above terms.

W.P.(C) 16049/2023

1. List for arguments on 30th January 2026, the date already fixed.
2. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

NOVEMBER 13, 2025/sm/tk