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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 5th August, 2026

Uploaded on: 10th August, 2026

CNR No. DLHC010524022023

+ W.P.(C) 16071/2023 and CM APPL. 64672/2023

SANJAY ARORA

.....Petitioner

Through: Mr. M.M. Kashyap, Adv.

versus

MUNICIPAL CORPORATION OF DELHI

& ANR.

.....Respondents

Through: Ms. Tajinder Viridi, Standing Counsel
for MCD.

Ms. Shagun Shahi Chugh, Mr. Varun
Chugh and Ms. Ayushi Agarwal,
Advs. for Delhi Police.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The prayer in this petition, *inter alia*, is that the Petitioner ought to be permitted to carry out the squatting activity from the Site 2621, Near Raj Bangel Store Corner, Bank Street, Karol Bagh, New Delhi-110005 till possession of alleged allotted site at 11/30 wall of P.S. Karol Bagh, Delhi.
3. According to the Petitioner, the Petitioner's father *i.e.*, Sh. Chaman Lal had been vending as a *Tehbazari* holder in terms of the R.C. Chopra Committee report. It is stated that on 5th September, 2001, the Petitioner's father had been informed by the MCD about the allotment of the site in Ajmal Khan Road, opp. Bhasin Crockery. Thereafter, upon the death of the Petitioner's father, the Petitioner had applied for mutation of the allotted



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Tehbazari site in his name, which was allowed on 21st September, 2012.

4. The Petitioner is aggrieved by the fact that till date he has not been given possession of the allotted *Tehbazari* site.

5. On behalf of the MCD, Ms. Ms. Tajinder Viridi, Id. Standing Counsel submits that in view of the development work which was being carried out in Ajmal Khan Road, the Petitioner was relocated to Gali No. 25, Beadonpura, Backside, P.S. Karol Bagh *vide* circular dated 6th June, 2021, however, the Petitioner did not take possession of the said site. The relevant portion of the said circular is as under:

28.	Sanjay Arora S/o Chaman Lal	14/15	Adj., Ajmal Khan Road, Opposite Bhasin Crockery	Ajmal Khan Road	Gali No. 25, Beadon Pura, Backside PS Karol Bagh
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6. It is further submitted that, thereafter, there were directions given by this Court in *W.P.(C) 5023/2015* titled *Paardarshita Public Welfare Foundation (NGO) vs. Commissioner South Delhi Municipal Corporation & Ors* for preparation of a multi-level car parking owing to the traffic congestion in Karol Bagh area and therefore, the Petitioner had to be again relocated to Wall of Ajmal Khan Park, Karol Bagh *vide* order/circular dated 18th November, 2021. However, the Petitioner did not take possession of the said site. The relevant portion of the circular dated 18th November, 2021 is as under:

28.	Sanjay Arora	14/15	Adj Ajmal Khan Road Opposite Bhasin Crockery	Ajmal Khan Road	6x4 (open)	Gali No.25, Beadon Pura	Wall of Ajmal Khan Park at Ajmal Khan Road
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7. As per the affidavit of MCD dated 27th May, 2024, the MCD is willing to provide possession of the *Tehbazari* site located at the Wall of Ajmal Khan Park, Karol Bagh, New Delhi.

8. It is stated by MCD that the Ajmal Khan Road has been declared as a non-squatting zone and non-vending zone, and pursuant to the directions passed by a Coordinate Bench of this Court in ***WP(C) 9804/2021*** titled ***Shri Sanjeev Kapur v. North Delhi Municipal Corporation & Ors.***, vide order dated 16th September, 2021, the display boards have also been installed declaring the said area as non-squatting and non-vending zone. The circular dated 6th June, 2021, in fact, permits the Petitioner to be relocated to Gali No.25, Beadonpura, Karol Bagh, however, the Petitioner has chosen not to relocate himself.

9. Heard. The Court has considered the matter. In a similar matter, a Coordinate Bench of this Court in ***W.P.(C) 16070/2023*** titled ***Mr. Ajay Khanna v. Municipal Corporation of Delhi & Anr.***, vide order dated 13th November, 2025 has observed as under in respect of the same area:

“13. We have considered the submissions.

14. The factual matrix narrated hereinabove depicts that though initially the petitioner was allotted tehbazari rights by virtue of allotment letter dated 5th September 2001, same was never acted upon.

15. It appears that subsequent changes in circumstances viz., the site which was permitted to be used by the petitioner for vending activities, was put to public use and, as such, another order was passed by the competent authority thereby allotting a new site in favour of petitioner, as referred above i.e. vide circular dated 6th June 2021. The said order also underwent



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modification in view of order passed by the Division Bench of this Court, referred to supra, and now petitioner has been allotted and permitted to carry out vending activities at 'Wall of Ajmal Khan Park at Ajmal Khan Road', as can be inferred from circular dated 18th November 2021.

16. Counsel for respondent, on instructions, states that even today, the said option is open for petitioner, and in case he approaches MCD, the site will be marked and tehbazari activity can be permitted to petitioner.

17. We are convinced that contentions have been sufficiently established by counsel for MCD, that not only the vending rights of petitioner are kept intact, but there are sufficient justifiable reasons, that too in public interest, of shifting the site which was initially offered to petitioner under circular dated 5th September 2001 to that one near 'Wall of Ajmal Khan Park at Ajmal Khan Road' which was offered vide circular dated 18th November 2021.

18. In that view of the matter, in our opinion, no case is made out for interference by issuing directions to the respondent to permit petitioner to carry out vending activity in accordance with order dated 5th September 2001, as permitting such activity shall be contrary to two subsequent orders passed by this Court, referred in foregoing paragraphs.

19. That being so, petition stands dismissed.

20. However, we make it clear that it shall be open for petitioner to approach respondent/MCD seeking benefit pursuant to circular dated 18th November 2021."

10. In the light of the similar order passed by this Court, the Petitioner is permitted to shift to 'Wall of Ajmal Khan Park at Ajmal Khan Road' as



provided *vide* order/circular dated 18th November, 2021 issued by the MCD.

11. In the above circumstances, however, the prayer made in this petition cannot be granted.

12. For the said purpose, the Petitioner is free to approach the MCD.

13. The Assistant Commissioner, Karol Bagh shall identify the space in at the Wall of Ajmal Khan Park at Ajmal Khan Road where the Petitioner can shift within one week.

14. If the Petitioner does not shift from the present site of squatting, the Petitioner would be liable to be removed by the MCD.

15. The petition is disposed of in the above terms. The pending application is also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

AUGUST 5, 2026
aj/msh