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

+ **W.P.(C) 16625/2024**

SH SANJAY GUPTA & ORS.

.....Petitioners

Through: Mr. Sanjay Padam Jain, Advocate
along with 5 out of 28 petitioners in
person (M: 9811112087).

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Pritish Sabharwal, Advocate with
Ms. Shilpa Ohri, Advocate for MCD
(M: 9871878690).

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **30.03.2026**

1. This hearing has been done through hybrid mode.
2. *Vide* order dated 19th March, 2026, this Court directed as under:

“4. Ld. Counsel for the MCD has produced certain photographs of the various vends of the Petitioners. However, the Petitioners are disputing some of the photographs and they themselves have not filed any photographs.

5. Accordingly, let the Petitioners along with Mr. Hitesh Kumar, the Licensing Inspector of the MCD take photographs of the concerned vends displaying names of the respective Petitioners. The photographs shall be produced before the Court on the next date of hearing”

3. Today, photographs in terms of the previous order have been placed on record by the Id. Counsel for the Municipal Corporation of Delhi (hereinafter, ‘MCD’). The Court has heard the matter for some time.



4. Clearly, as per the list of vending zones which has been handed across by the Id. Counsel for the MCD, this particular area which is the Netaji Subhash Place, Pitam Pura is a non-vending area. In fact, the final list of squatting, non-squatting and hawking/non-hawking areas, which was handed over by the MCD to the Supreme Court in ***Gainda Ram & Ors. v. Municipal Corporation of Delhi & Ors., Writ Petition No. 1699 of 1987***, makes it clear that except the areas mentioned therein, all approved commercial areas, VIP and main roads would be non-squatting areas.

5. The Delhi Development Authority (hereinafter, 'DDA') has also declared *vide* notification dated 8th March, 2010 that Netaji Subhash Place complex is a hub of commercial activity with shopping malls, offices, hospitals *etc.*

6. The Court has also perused the photographs handed over by the Id. Counsel for the MCD which reveal the following:-

- i) Several vendors have created *pakka* structures;
- ii) The vendors are not mobile vends and, therefore, there is complete violation of the vending terms and conditions of Certificates of Vending (hereinafter, 'CoVs').
- iii) Hygienic standards are also not being maintained.
- iv) The manner in which the vends are being operated would show that there is no proper pathway, road or even a floor which exists and these vends are put up on *Malba*, which is also unhygienic and is also an encroachment.
- v) The vends are being operated right next to the commercial complex and the mall, which would be impermissible as per law.

7. Under such circumstances, the Court has put to the Id. Counsel for the



Petitioners that the Petitioners would be given some reasonable time to move to the vending areas.

8. As per the MCD's list which has been handed over, the following are the vending areas in the said vicinity:-

- *Narang Colony, JE.s store to fountain park*
- *B Block, Lawrance Road Indl. Area around MCD Park*
- *C Block, Lawrance Road Indl. Area around MCD Park*
- *A Block, Lawrance Road Indl. Area around MCD Park*
- *Back side of C Block Petrol Pump on Nala of Lawrance Road*
- *MCD Park opp A-1, market, Lawrance Road. 3*
- *Block, Shakurpur JJ Colony, Near Ravi dass Camp*
- *Shakurpur Anand Vas on foothpath near Primary School*
- *Shakkurpur E Block, near Smrat Cinema*
- *Shakkurpur H & I Block, near Ambedkar Park.*
- *Opp. EU 32 (in CU Block) footpath, Pitam Pura*
- *CD Block Pitampura from Ram Mandir to Park Corner*
- *SU Block near Park Boundary, Pitam Pura*
- *Near RU Block Park B/Wall Pitampura”*

9. Accordingly, let all the Petitioners who have filed the present petition appear before the Assistant Commissioner, MCD, Keshav Puram Zone on **6th April, 2026** at **11.30.AM** at Near Todalram Park, MCD Keshav Puram.

10. The Assistant Commissioner, MCD after interacting with the Petitioners shall then file a status report and indicate as to which area the Petitioners can be shifted to.

11. List for filing the status report of the Assistant Commissioner, MCD on 24th April, 2026 in the ***supplementary list.***



12. Photographs, which have been filed today along with the Notification dated 8th March, 2010 of the DDA, be placed on record.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MARCH 30, 2026/MR/ck