$~49

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

Date of decision: 28th July, 2026
Uploaded on: 29th July, 2026

\+ **W.P.(C) 10441/2026 & CM APPL. 48460-61/2026**

DINESH KUMAR & ORS. .....Petitioners

Through: Mr. Bharat Aggarwal, Mr. Kanhiya and Ms. Namrata Sharma, Advs.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR. .....Respondents

Through: Mr. Sriharsha Peechara Standing Counsel for NDMC, Mr. Chetanya Singh, ASC, Mr. Soumit Ganguli, Ms. Ravicha Sharma, Ms. Swati and Mr. Akash Sharma Advs.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

2. The present petition has been filed by the Petitioners under Articles 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to permit the Petitioners to participate in the future survey to be conducted by the Respondents.

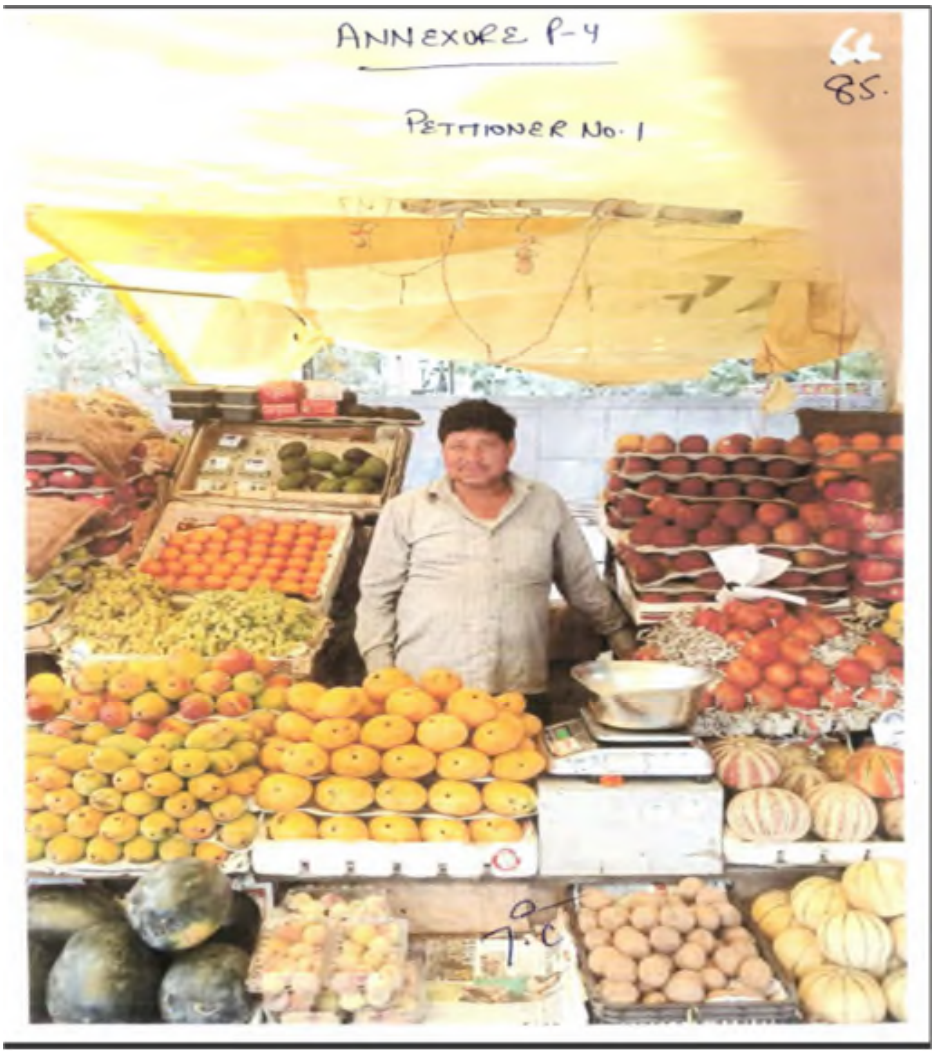
3. The Petitioners in the present case are seven street vendors, all of whom do not have any *provisional* Certificates of Vending *(hereinafter, 'the CoV').*

4. The Court has considered the matter. Admittedly, the Petitioners have

Signature Not Verified
Digitally Signed
By:DEEPAK SINGH
Signing Date:29.07.2026
17:58:27

not participated in the survey and they have also not made any representations to the NDMC.

5. They are vending in various areas near DMS depot No. 451-452, East Kidwai Nagar, New Delhi and Corner of NBCC Barat Ghar Kidwai Nagar East and have also encroached upon the roads, the pavements of the said areas, as is clear from the photographs which have been placed on record. The said images are extracted below:



Signature Not Verified
Digitally Signed
By:DEEPAK SINGH
Signing Date:29.07.2026
17:58:27



Signature Not Verified
Digitally Signed
By:DEEPAK SINGH
Signing Date:29.07.2026
17:58:27

PETITIONER NO. 3 87.





Signature Not Verified
Digitally Signed
By:DEEPAK SINGH
Signing Date:29.07.2026
17:58:27

PETITIONER NO.5

89.



PETITIONER NO.6 90.



Signature Not Verified
Digitally Signed
By:DEEPAK SINGH
Signing Date:29.07.2026
17:58:27



6. Considering that the survey has just been completed by the NDMC, in 2025, and no future survey has yet been announced, as also the fact that the constitution of the TVC is under process, the prayer sought by the Petitioners cannot be granted.

7. The Petitioners are completely unauthorised vendors and do not have any valid documents. They are also occupying large portions of public land

Signature Not Verified
Digitally Signed
By:DEEPAK SINGH
Signing Date:29.07.2026
17:58:27

including footpaths, roads etc., which is not permissible.

8. On the basis of the past vending activities, if any survey is conducted in future, the Petitioner would be at liberty to participate in the same, however, the same would not confer any right upon the Petitioner to continue to vend from the present vending sites.

9. NDMC is free to take action in accordance with law.

10. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 28, 2026/dss/sm

Signature Not Verified
Digitally Signed
By:DEEPAK SINGH
Signing Date:29.07.2026
17:58:27