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

CNR No. DLHC010390762026

+ **W.P.(C) 12181/2026**

AVDESH KUMAR

.....Petitioner

Through: Mr. N.K. Sahoo, Advocate.

versus

NEW-DELHI MUNICIPAL COUNCIL

.....Respondent

Through: Mr. Aditya Bharat Manubarwala, Addl Standing Counsel, NDMC with Ms. Tanishka Grover, Ms. Akriti Aditya Manubarwala, Ms. Shaila Arora and Ms. Charvi Virmani, Advocates for NDMC.

(M) 9650612935

Mr. Subodh Kumar Kaushik, CGSC with Mr. Keshav Pawar, Govt. Pleader, Ms. Akshi Vishnoi, Ms. Riya Sharma and Mr. Sahil Sindhawani, Advocates with SHO, PS-Cannaught Place.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

ORDER

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20.08.2026

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking permission to participate in the survey which is to be conducted by the New Delhi Municipal Council (*hereinafter*, 'NDMC').
3. The case of the Petitioner is that he is a street vendor, who has been



selling *Puja Samagri* and rendering Astrology services to the general public from his place of squatting within the compound of Hamuman Mandir, under Peepal Tree in front of Sani Mandir, BK Singh Marg, New Delhi.

4. The Petitioner has placed on record the photograph of Petitioner's vend which is set out below:



5. The case of the Petitioner is that he did not participate in the survey which was already conducted by the NDMC last year, and the prayer is that he may be permitted to participate in the new survey which is now being



conducted for the *tehbazari* holders.

6. Further, Id. Counsel for the Petitioner has also placed reliance upon the status report dated 25th July, 2026 filed by the NDMC in ***W.P. (C) 8479/2023 titled 'Chandni Chowk Sarv Vyapar Mandal & Ors. v. Govt. of NCT Delhi & Ors.'***, to contend that the NDMC has stated that the survey would be conducted on humanitarian grounds.

7. The Court has heard Mr. N.K. Sahoo, Id. Counsel for the Petitioner, and Mr. Aditya Bharat Manubarwal, Id. Counsel for the NDMC.

8. Firstly, a perusal of the photograph on record would show that the Petitioner is claiming to be running a *Puja Samagri* vend and rendering Astrology services at BK Singh Marg.

9. Secondly, the Petitioner has not participated in the survey which was conducted earlier. The said survey, which already stood concluded, cannot be reopened now as the elections for Town Vending Committee-II (hereinafter, 'TVC-II') have been conducted and the vending plan is in the process of finalisation.

10. Further, the reliance on the status report dated 25th July, 2026 is completely misplaced, inasmuch as the office Order dated 24th July, 2026, issued by the NDMC, relates to a survey for Old *Tehbazari* holders, Thareja Committee-verified vendors and Kashmiri migrants.

11. The Petitioner does not fall in any of the aforesaid categories.

12. Since the Petitioner has not participated in the survey already conducted, no relief can be granted at this stage. However, this would not in any manner affect the rights of the Petitioner to participate, in terms of Section 4(2) of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, in any future survey that takes place.



13. The NDMC is also at liberty to take action in accordance with law, as the Petitioner is clearly an unauthorised vendor.

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

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

AUGUST 20, 2026/jg/Ck