



\$~24

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

+ **W.P.(C) 15136/2023**

RAMESH KUMAR

..... Petitioner

Through: Mr. Saurabh Kansal, Adv. with Mr.
Manish Kumar, Adv.

versus

MUNICIPAL CORPORATION OF DELHI & ORS..... Respondents

Through: Mr. Tushar Sannu, Standing Counsel
with Mr. Manoviraj Singh, Adv. for
R-1/MCD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

19.01.2024

%

1. The petitioner has filed the present petition praying as under:

“(a) To issue a writ in the nature of mandamus and/ or directions/orders to the Respondents to form or amend for disposal of application dated 19.11.2015 within specific time and for issuance of Tehbazari Licenses.

(b) To issue a writ in the nature of mandamus and/ or directions/orders to Respondent no.1 directing them to issue Tehbazari License in favor of the Petitioner.”

2. The petitioner is a physically disabled person and had applied for Tehbazari license on 19.11.2015 under the MCD Street Hawker Scheme, 2007, however, no action has been taken in respect of his application.

3. In the aforesaid context, the petitioner prays that the respondents be directed to issue a Tehbazari license.

W.P.(C) 15136/2023

Page 1 of 2



4. Learned counsel for the respondent no.1/MCD submits that a survey will be undertaken shortly for the purpose of implementing the 2019 Scheme. He states that the petitioner may also participate in the said survey and submit all documents. He assures this Court that the Town Vending Committee (TVC) shall consider the same.
5. It is apparent that the petitioner is carrying on vending activities. The photographs placed on record indicate that the petitioner has been selling his wares from a motorised carriage vehicle. The petitioner is not vending from a fixed site. The TVC has issued certificates of vending to various street vendors and permitted the said street vendors to carry on mobile vending. *Prima facie*, the Petitioner is entitled to do so.
6. In these circumstances, we consider it apposite to direct the TVC to issue a certificate of vending to the petitioner. The petitioner is at liberty to apply for the same.
7. Accordingly, the petition is disposed of in the aforesaid observations.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

JANUARY 19, 2024/SA

[Click here to check corrigendum, if any](#)