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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3049/2023 & CM APPL. 29526/2025**
DELHI HAWKERS WELFARE ASSOCIATION THROUGH ITS
GENERAL SECRETARYPetitioner

Through: Mr. Kamlesh Kumar Mishra and Ms.
Renu, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.....Respondent

Through: Mr. Ripu Daman Bhardwaj, Mr.
Kushagra Kumar, Mr. Abhinav
Bhardwaj and Mr. Amit Kumar Rana,
Advs. (M: 98180 30700)
Ms. Puja S. Kalra, Standing Counsel
with Mr. Virendra Singh, Adv. for
MCD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **15.05.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 29526/2025 (for seeking directions) and W.P.(C) 3049/2023

2. The present application has been filed by the Petitioner - Delhi Hawkers Welfare Association under Section 151 of the Code of Civil Procedure, 1908 read with Section 4(1) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 seeking directions to the Respondent No.1- Municipal Corporation of Delhi (hereinafter, 'MCD') to issue Certificates of Vending (hereinafter, 'COV') for 63 vendors, who are stated to be part of the Petitioner association.

3. In the main writ petition, a prayer has been made for issuance of COV for 85 members who are stated to be part of the Petitioner association. The grievance in the present petition was that though the documents of the



members of the Petitioner association have been verified, no COVs have been issued and their vending is being repeatedly disturbed and hampered. The prayer in this writ petition is as under:

“I. For an order directing the respondents to issue Certificate of Vending as mandated under Section 4 of THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014 to the members street vendors concerned with the present petition and who have duly been surveyed, and a list of whom is annexed herewith as ANNEXURE P...1 at pages 69.... To 100.... Of the present petition

II. For an order directing the respondents to consider and pass appropriate orders on the representation made by the petitioner organisation as detailed in ANNEXURE ...P-3 Page 598... to 601.... of the present petition.

III. For an directing the respondents to ensure that the members street vendors concerned with the present petition as detailed in ANNEXURE p-1..... be allowed to peacefully vend at their respective vending sites till the time the vending certificates are not issued with the vending certificates and the protection in term of section 3 (3) of the Act be granted to them.

IV. Pass any such directions or order that this Hon’ble Court deems fit and proper in the facts and circumstances of the above-mentioned case.”

4. Ld. Counsel for the Petitioner submits that the relief is presently being pressed only in respect of 63 vendors and the remaining vendors may be left to avail of their remedies in accordance with law.

5. Ms. Kalra, ld. Counsel appearing for the MCD submits that at the time when this writ petition was filed, the survey had been stalled for various administrative reasons and hence the writ petition was kept pending. It is



submitted by Id. Counsel for MCD that now the survey has recommenced and the members of the Petitioner association have already been permitted to vend. However, the COVs to the members of the Petitioner association have not yet been issued. Ld. Counsel further submits that if a time period is fixed by the Court, then after verification of the credentials, the COVs would duly be issued by the MCD.

6. Heard. After considering the matter, it is seen that the primary prayer of the Petitioner is that the COVs ought to be issued to its members.

7. Considering that the Petitioners' members have been surveyed and have been permitted to vend, the COVs ought to be issued to the 63 members of the Petitioner association subject to verification of their credentials. Accordingly, let the documents of the Petitioners be verified by the MCD and the COVs as per the prevalent scheme, be issued to them within two months.

8. During the interregnum so long as the Petitioners comply with the terms and conditions of the COV, they shall not be disturbed by the MCD.

9. The petition is disposed of in these terms. Pending application(s), if any, also stand disposed of. No other reliefs are pressed. The remaining members who are not part of the list of 63 persons, are permitted to avail of their remedies in accordance with law.

10. The next date of hearing is cancelled.

11. Order *Dasti*.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

MAY 15, 2025

dj/ck