



\$~18

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

+ W.P.(C) 5979/2022 & CM No.17968/2022

LAXMI

.....Petitioner

Through: Mr. Kamlesh Kumar Mishra, Ms. Chandana, Mr. Akhil Rexwal, Ms. Renu & Ms. Shivani, Advs.

Versus

NEW DELHI MUNICIPAL COUNCIL & ORS.....Respondents

Through: Mr. Sriharsha Peechara, Mr. Akshat Kulshrestha & Mr. D.S. Bhanu, Advs. for NDMC.
Insp. Jitendra Kashyap, PS Connaught Place.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

23.01.2025

%

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondents to allow the petitioner to squat on the site described as Regal Footpath near Regal Building, Connaught Place Area, New Delhi. The petitioner claims that she had applied for Tehbazari License under the Scheme floated by respondent no.1/New Delhi Municipal Corporation (NDMC) in the year 2007. She also states that she has been vending at the given site for more than twenty years.

2. We are unable to accept that the relief as sought for can be granted to the petitioner. This is for the principal reason that the site as mentioned by the petitioner is located in a no vending zone. The Division Bench of this Court in *Vyapari Kalyan Mandal Main Pushpa & Anr. v. South Delhi Municipal Corporation & Ors.: 2017 SCC OnLine Del 8962*, had clarified that till the vending plan is framed, the non-vending areas as mentioned in the 2007 Scheme, would continue to be treated as non-vending zones. This Court in a set of similar petitions (*Veer Singh v. The Chairman of NDMC &*



Ors.:2024:DHC:641-DB) had followed the decision in ***Vyapari Kalyan Mandal Main Pushpa & Anr. v. South Delhi Municipal Corporation & Ors.*** (supra) expressed a similar view. In several cases, NDMC has an interim measure, permitted certain street vendors, whose names are mentioned in the list of 628 street vendors found eligible for allotment of Tehbazari sites in the year 2012, to continue their street vending activity, *albeit*, in areas other than non-vending zones.

3. In the present case, we are not persuaded to issue any order directing the NDMC to grant such benefit to the petitioner as well because her name does find mention in the list of 628 street vendors that were found eligible for participating in the draw for allotment of 386 spaces in the year 2012.

4. We, however, consider it apposite to clarify that this order would not preclude the petitioner to be included in the survey being conducted by the NDMC and to participate in the same.

5. The petition is disposed of. Pending application is also disposed.

VIBHU BAKHRU, J

ANOOP KUMAR MENDIRATTA, J

JANUARY 23, 2025

‘gstr’

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