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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4232/2025 & CM APPL. 19514/2025, CM APPL. 19515/2025**

MAHENDER SINGH

.....Petitioner

Through: Mr. Bharat Aggarwal, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents

Through: Mr. Akshay Verma, ASC.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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03.04.2025

1. This hearing has been done through hybrid mode.

CM APPL. 19514/2025, CM APPL. 19515/2025 (for exemptions)

2. Allowed, subject to all just exceptions. Applications are disposed of.

W.P.(C) 4232/2025

3. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India for issuance of appropriate directions to the New Delhi Municipal Corporation (‘NDMC’) to consider his representation dated 7th March, 2025.

4. Vide the said representation the Petitioner has sought for change of trade from Cobbler Work(Shoe Shine Boy) to Readymade Garments and products in the Sarojini Nagar Market.

5. The case of the Petitioner is that the Petitioner’s father- Late Sh. Panna Lal was a holder of *Mochi Thara* No.7, Sarojini Nagar Market, New Delhi, which was allotted to him in 1970. Thereafter, the Petitioner’s father passed away in 2008.



6. However, the Petitioner claims that even after the demise of his father, he continued to pay the *Tehbazari* fee and now seeks to change and modify the vending from a cobbler cart to readymade garments.

7. According to the Petitioner, the *Tehbazari* was substituted in his name as the legal heir of Late Sh. Panna Lal in terms of Section 5(2) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 .

8. Ld. Counsel for the Respondent objects to the fact that the Petitioner has been substituted in his father's place and accordingly submits that he would also not be entitled to change the nature of vending.

9. In the opinion of this Court, the *Tehbazari* being one of *Mochi Thara*, the Petitioner's representation for converting the same into a readymade garment would not be entertainable.

10. Insofar as the Petitioner's right as a legal heir is concerned, the said issue would be considered by the Town Vending Committee(TVC) and if the TVC deems the Petitioner to be eligible to continue the father's *Tehbazari* licence, the same would be granted to the Petitioner. He shall also be permitted to participate in any survey which may be conducted by the TVC.

11. Petition is disposed of in the above terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

APRIL 3, 2025

Rahul/ss