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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4677/2025, CM APPLs. 21600/2025 & 21601/2025**
VISHAKHAPetitioner
Through: Mr. Bharat Aggarwal, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents
Through: Mr. Raj Kumar, Adv.
Mr. Raghuinder Varma, ASC with
Mr. Sarthak Karol, Adv.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **15.04.2025**

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed by the Petitioner – Vishakha under Article 226 of the Constitution of India for issuance of appropriate writ, *inter alia*, directing the Respondents to consider the Petitioner in the place of her deceased father and to permit the Petitioner to participate in the survey being conducted by the Town Vending Committee (*hereinafter*, TVC). The prayers in the writ petition are set out below:

It is therefore, most respectfully prayed that this Hon'ble Court may be pleased to:-
a) Direct the Respondents to consider the petitioner on the place of her deceased father for all purposes.
b) Direct the Respondents to permit the petitioner to participate in the survey.
c) Direct the Respondents to decide the petitioner's representation dated 20/03/2025 in accordance with law.
d) Issue a Writ, Order or Direction or Pass such other



or further orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

3. The case of the Petitioner is that her late father – Mr. Maharaj Kishan Mahesh was a vendor who was vending Near Gate No. 02, Palika Bazar, Connaught Place, New Delhi (*hereinafter, the vending spot*).
4. The submission of Id. Counsel for the Petitioner is that the Petitioner's father's name also appears in the list of 628 vendors which was prepared by the New Delhi Municipal Council (*hereinafter, 'NDMC'*) pursuant to the orders of Hon'ble Supreme Court dated 12th October, 2012 in ***Special Leave to Appeal (Civil) No.(s) 1765/2012*** titled '***Salim v. NDMC & Anr.***'
5. Thereafter, the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act, 2014 was enacted and the Delhi Street Vendors (Protection of Livelihood & Regulation of Street Vending) Scheme, 2019 was notified in October, 2019. Pursuant to the said Act and scheme, survey has been conducted by the authority. In the meantime, on 18th July, 2021, the Petitioner's father also expired.
6. It is the case of the Petitioner that she is presently not vending at the vending spot as the said area has now been declared as a non-vending zone. The prayer in this petition is for issuance of directions to the Respondents to allow Petitioner to participate in the survey being conducted by the TVC and to consider her name in place of her father's name for all purposes related to the vending spot.
7. The Petitioner claims to be the daughter of the deceased vendor and the death certificate has been placed on record. As per her Aadhar Card she is shown as the daughter of late Mr. Maharaj Kishan Mahesh.
8. Considering the prayer in this writ petition, the following directions are



issued:

- (i) The vending certificate and others documents of the father of the Petitioner be verified to confirm that he was a recognised vendor;
- (ii) Thereafter, the Petitioner's credentials shall be properly verified as to her being the daughter of the recognised vendor - late Mr. Maharaj Kishan Mahesh.
- (iii) After verification, the Petitioner shall be entitled to participate in the survey and if her credentials are established, her name shall be substituted in her father's space. In terms of her seniority, steps shall be taken by the NDMC in accordance with law.

9. The present writ petition is disposed of in above directions. Pending applications are also disposed of.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

APRIL 15, 2025

dj/ss