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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 15th April, 2025

+ **W.P.(C) 4651/2025, CM APPLs. 21520/2025 & 21521/2025**
AARTIPetitioner

Through: Mr. Bharat Aggarwal, Advocate.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents
Through: Mr. Raj Kumar, ASC with Mr.
Mayank Bamniyal, Advocate for
NDMC (Mob. 9810007606).

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE RAJNEESH KUMAR GUPTA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed by the Petitioner – Aarti under Article 226 of the Constitution of India for issuance of appropriate directions to the Respondents to consider the Petitioner in place of her deceased husband and to accordingly direct the Respondents to permit the Petitioner to participate in the survey being conducted by the Town Vending Committee (*hereinafter, TVC*).
3. The case of the Petitioner is that her late husband – Mr. Puran Chand was a vendor who was vending in front of Shop No. E-6, E-Block, Inner Circle, Connaught Place (*hereinafter, the site*) and he had, during his lifetime filed a writ petition being **W.P.(C) 4001/2011** titled **Shri Puran Chand v. NDMC & Anr.** which was decided by this Court *vide* order dated 02nd June, 2011. The directions given in the said writ petition were as under:



“4. Accordingly, the petitions are disposed of with the direction to the respondent NDMC to not disturb the petitioners from their present hawking sites as stated in the petitions till the Vending Committee completes the exercise of determining the status of their eligibility. The same is further subject to the following three conditions:-

- a) That the petitioners shall not induct anyone else at the hawking/squatting sites.*
- b) That the petitioners shall comply with the requirements of the National Policy for Urban Street Vendors and the Master Plan for Delhi 2021.*
- c) That the petitioners shall not deal in any licensable articles.”*

4. The submission of Id. Counsel for the Petitioner is that the Petitioner’s husband’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 is being conducted by the NDMC.

6. In the meantime, on 11th December, 2015, the Petitioner’s husband expired. It is the case of the Petitioner that she is presently not vending at the site 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 NDMC.

7. The death certificate of the Petitioner’s husband has been placed on



record. As per her Aadhar Card she is recorded as the wife of late Mr. Puran Chand.

8. In this background, the following directions are issued:

- (i) The facts stated by the Petitioner regarding her husband being a recognised vendor shall be verified;
- (ii) The Petitioner's credentials shall be properly verified as to the fact of her being the wife of the recognised vendor, late Mr. Puran Chand;
- (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 husband's place. 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 terms. Pending applications are also disposed of.

PRATHIBA M. SINGH
JUDGE

RAJNEESH KUMAR GUPTA
JUDGE

APRIL 15, 2025/MR/ss