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

+ **W.P.(C) 7610/2025, CM APPLs. 33977/2025 & 33978/2025**

SAROJ KUMARI

.....Petitioner

Through: Mr. Bharat Aggarwal, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents

Through: Mr. Sriharsha Peechara, SC with Mr.
Akshat Kulshreshtha, Adv. for NDMC

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **28.05.2025**

1. This hearing has been done through hybrid mode.

CM APPLs. 33977/2025 & 33978/2025

2. Allowed, subject to all just exceptions. The applications stand disposed of.

W.P.(C) 7610/2025

3. The present petition has been filed by the Petitioner– Saroj Kumari seeking permission to participate in the survey by the Town Vending Committee (*hereinafter*, ‘TVC’) and for consideration thereof by the New Delhi Municipal Corporation (*hereinafter*, ‘NDMC’).

4. It is the case of the Petitioner that her husband, Late Mr. Roop Kumar, was a valid vendor and had been vending at his site i.e. Near M-8, Outer Circle, Connaught Place, New Delhi for more than 20 years.



5. Connaught Place was declared as a No-Vending Zone and thereafter, there has been no vending activities being carried out by the Petitioner. However, recently the survey by the TVC commenced in January, 2025. Thus, the Petitioner wishes to participate in the said survey.

6. Mr. Peechara, Id. Counsel for NDMC submits that the Petitioner's husband's name was not a part of the list of 628 vendors who have been recognised by the Supreme Court.

7. After having heard the learned counsel for the parties, it is noted that the death certificate of the Petitioner's husband has been placed on record. Certain *tehbazari* receipts have also been placed on record.

8. In terms of the principles recognised in Section 5(2) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending Act 2014, the spouse of the vendor is entitled to substitution as the vendor. By applying the same principle, the Court is of the opinion that the Petitioner ought to be permitted to participate in the survey being conducted by the TVC. 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. Roop Kumar,;
- (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, J.

RAJNEESH KUMAR GUPTA, J.

MAY 28, 2025/akc/ss