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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 903/2025 CM APPL. 36397/2025 CM APPL.**
36398/2025
RAM PAL SINGHPetitioner

Through: Mr. Kamlesh Kumar Mishra, Adv.
with Mr. Shivani Verma, Ms.
Samishti Solomon, Ms. Renu, Ms.
Pragya Jaishwal and Mr. Harshit
Bahal, Advs.

versus

ASHWANI KUMAR AND ORSRespondent

Through: Mr. Sagar Kumar, SC for MCD.
Ms. Tajinder Viridi, SC for NDMC.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

30.05.2025

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1. This petition has been filed alleging wilful disobedience of order dated 17th May 2024 passed in **W.P. (C) 2421/2024**, in which the following directions were passed:

3. It is contended by learned counsel for the respondent that at this present stage, the petitioners cannot be treated as 'Stationary Vendor' as no specific site has been allocated to them. He states that after the survey is complete, the second Town Vending Committee (TVC-II) would be constituted and the Municipal Corporation of Delhi would prepare a vending plan in consultation with TVC-II. At that stage, the question of vending at a fixed place may be considered.

4. The learned counsel for the petitioners submits that their representation be kept pending and be considered at an appropriate stage. The learned counsel for the respondents has no objection to the same.

5. In view of the above, we dispose of the petition by directing that the petitioners shall not be interdicted or interfered with in carrying on their vending activities subject to the petitioners complying with the terms and conditions of the COVs. The representation dated 28.10.2023 made by the petitioners [which is annexed at Annexure P4] shall be considered by the concerned TVC at an appropriate stage.



2. It is stated that the petitioner has been recently removed from his vending site.
3. *Ms. Tajinder Virdi*, Counsel appearing for the NDMC, however, states that the directions in the orders were clear and they were to vend strictly in compliance with the terms and conditions of the COV.
4. She states that the terms of the COV do not allow the vendor to be stationary as per *Clause 11* and instead, he had directed an almost permanent kiosk which had, therefore, to be demolished.
5. *Ms. Tajinder Virdi*, counsel for NDMC, states that they have no difficulty in permitting the petitioner to continue to vend in *Shahdara, South Zone, Ward 13-E*, strictly in compliance with the terms of the COV.
6. Accordingly, *Mr. Kamlesh Kumar Mishra*, counsel for the petitioner does not wish to press his petition on the basis of the said submission/undertaking.
7. As regards *Mr. Mishra's* contention that the petitioner is a stationary vendor, he is at liberty to agitate the issue before the appropriate Court.
8. Accordingly, the petition is disposed of. Pending applications, if any, are rendered infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 30, 2025/MK/bp