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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8583/2025

SHEETAL BAWARIA

.....Petitioner

Through: Mr. Satish Kumar Tripathi, Advocate.

versus

THE CHAIRPERSON NDMC-TVC& ORS.....Respondents

Through: Mr. Mananjay Kumar Mishra, and Mr. Bhanu Raj, Advocates for NDMC.
Mr. Varun Vats, SPC for R-4/ Delhi Police (SHO Sarojini Nagar).
Mr. Ashish Mohan, Sr. Advocate with Ms. Sagrika Tanwar, Advocate for Proposed Respondent No.5/ Sarojini Market Shopkeeper Association.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **04.07.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 37054/2025 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

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3. This is the second writ petition being filed by the Petitioner seeking permission to participate in the survey which is being conducted by the Town Vending Committee (hereinafter "TVC") of New Delhi Municipal Council (hereinafter "NDMC"). Unfortunately, the first writ petition being **W.P. 15351/2024** has already been dismissed with detailed findings to the following effect:



“7. The Court has considered the matter. As per the Aadhar Card, which has been placed on record today, the date of birth of the Petitioner is 11th June, 2004. The first receipt which has been placed on record is of 10th April, 2008 that is when the Petitioner was less than 4 years of age. Clearly, the Petitioner could not have been a vendor at such a young age and it is, therefore, not clear as to whether the receipts which have been placed on record are even believable and credible.

8. While issuing notice on 4th November, 2024, the Court had restrained the Respondents from interfering in the Petitioner’s vending activities. However, today after seeing the amended memo of parties and the Aadhar Card, this Court is convinced that the case of the Petitioner is not a genuine case.

9. Ld. Counsel for the Petitioner at this point submits that his client is eligible today for participating in the survey as Section 4 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 clearly stipulates that the prescribed minimum age of 14 years. In the opinion of this Court, the said provision cannot be interpreted in a manner that would permit the issuance of a receipt to an individual who, at the time of such issuance, is not physically capable of operating a vending spot. Such an interpretation of law would render the whole concept of the Street Vending Act completely meaningless.

10. Further, the Court in fact doubts the genuinity of the identity of the Petitioner in relation to the receipts as to whether she is the same person to whom these vending receipts have been issued.

11. Under these circumstances, the court is inclined to hold that the Petitioner is not entitled to any reliefs.

12. Accordingly this writ petition is dismissed. Interim order granted shall stand vacated. All the pending applications, if any, are also disposed of.”

4. In view of the above findings, a fresh survey cannot be directed *qua* the Petitioner.

5. Ld. Counsel for the Petitioner submits that the Petitioner comes from



the economically weaker section and she has been subjected to various atrocities.

6. Without going into the said contentions, it is directed that if in future there is a new survey conducted by the Respondent NDMC, on the basis of the conditions which may be prescribed that point in time, if the Petitioner is eligible, she may be permitted to participate in the said survey.

7. The petition is disposed of in above terms. Pending application(s), if any, also stand disposed of.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

JULY 4, 2025/nd/msh