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

**W.P.(C) 14524/2021 CM APPL. 45695/2021 & 45696/2021**

**DELHI PRADESH REHRI PATRI KHOMCHA**

**HAWKERS UNION**

.....Petitioner

Through: Ms. Shobha Gupta, Sr. Advocate.  
with Mr. Aditya Ranjan, Advocate.

versus

**SOUTH DELHI MUNICIPAL CORPORATION**

**& ANR.**

.....Respondents

Through: Ms. Sangeeta Chandra, Standing  
Counsel for MCD.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA**

**ORDER**

**28.01.2025**

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1. The petitioner has filed the present petition, *inter alia*, praying as under:

“a. Allow the present writ petition by passing necessary writ, order or direction, directing the respondent no. 1 South Delhi Municipal Corporation to allow the members of petitioner Union to continue to do their vending activities from their vending sites at ‘L’ block , Opp. Lajpat Nagar Hospital, Opp. Kasturba Niketan, Lajpat Nagar-II, New Delhi”; and/ or in alternatively,

b. Pass necessary writ, order or direction, directing the respondent no. 1 South Delhi Municipal Corporation to allow the members of petitioner Union to resume their vending activities from their vending sites at ‘L’ block , Opp. Lajpat Nagar Hospital, Opp. Kasturba Niketan, Lajpat Nagar- II, New Delhi”; and/ or,

c. Pass necessary writ, order or direction, directing the respondent no. 2 Town Vending Committee, to conduct



*survey and do registration and all other exercise mandated under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and 'the Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019'."*

2. The learned counsel appearing for the petitioner submits that the prayers made in the present petition are not apposite. The petitioner essentially seeks that its members be allocated a site described as opp. 'I-75 to J' Block, behind the wall of Lajpat Nagar Hospital, opp. Kasturba Niketan, Lajpat Nagar, in view of the judgment of Supreme Court in ***Gainda Ram & Ors. vs. MCD and Others: 1998 (1) SCC 188.***
3. The learned counsel appearing for MCD disputes the contentions advanced.
4. We also note that the individual members of the petitioner who are claiming to be street vendors are not party to the present proceedings.
5. As it is apparent from the above, the relief, which is sought to be pressed, is completely different from the relief which is sought in the present petition. In view of the above, we dispose of the present petition while reserving the rights, if any, of the petitioner to file afresh. Pending applications, if any, also stand disposed of.

**VIBHU BAKHRU, J.**

**ANOOP KUMAR MENDIRATTA, J.**

**JANUARY 28, 2025/R**

[Click here to check corrigendum, if any](#)