



\$~34

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9002/2025**

PRADEEP KUMAR WADHWA

.....Petitioner

Through: Mr. Prashant Katara, Mr. Soin Khan,
Ms. Sakshi Jain and Mr. R.P.Singh,
Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.

.....Respondents

Through: Mr. Mananjay Mishra and Mr. Bhanu
Raj, Advocates for R/NDMC.
Mr. Niraj Kumar, Sr. Central Govt
Counsel with Mr. Chaitanya Kumar,
Advs. & Mr. Ajay Kumar Singh, ASI
PS-Sarojini Nagar for Respondent No.
02/Delhi Police.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **04.07.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 38391/2025 (exemption)

2. Allowed, subject to all just exceptions. The application stands disposed of.

W.P.(C) 9002/2025 & CM APPL. 38390/2025

3. The present petition has been filed by the Petitioner-Mr. Pradeep Kumar Wadhwa under Article 226 of the Constitution of India. The Petitioner's case is that he is one of the shopkeepers in Shop No.17, Sarojini Nagar Market, New Delhi under the name "Chache Di Hatti Pvt. Ltd.". It is his grievance that presently, the New Delhi Municipal Council (hereinafter 'NDMC') is conducting survey in the Sarojini Nagar Market despite parts of the area being non-vending zones. The apprehension is that if the survey is



conducted, the vendors would be able to claim vending sites within no vending zones of Sarojini Nagar, on the ground of legitimate expectation. Secondly, it is submitted that shopkeepers ought to be permitted to participate in the surveys, so that all the facts on the ground can be informed to the concerned Town Vending Committee (hereinafter 'TVC'). Finally, it is submitted that the Petitioner had given a representation which may be considered by the NDMC.

4. Answering to the Petitioner's submission, Mr. Mananjay Mishra, Id. Counsel for Respondent-NDMC submits that two shopkeepers are already there as part of the TVC and that would be adequate compliance.

5. The Court has considered the matter. The survey conducted by the TVC has various pre-requisites which need not be elaborated here in this petition. The question as to whether the vendors would be granted vending sites after completion of the survey, that too in no-vending zones, cannot be gone into at this stage. The interdiction of the survey or restraint against the survey cannot be granted as the survey is already underway. Secondly, insofar as the participation of shopkeepers is concerned, the same is permitted. Accordingly, NDMC shall ensure that at least two representatives/shopkeepers, if not already involved, are included in the survey process.

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

7. No further orders are called for.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

JULY 4, 2025/2v/Ar.