



\$~19

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

+ **W.P.(C) 9492/2025**

**INDRA FISH MARKET ASSOCIATION AND ORS. ....Petitioners**

Through: Mr. Abdul Qadir, Mr. Yadunandan Bansal, Mr. Gulshan Jahan, Ms. Shawariya Muzaffar, Ms. Smriti Saxena, Advocates.

versus

**GOVT OF NCT OF DELHI AND ORS. ....Respondents**

Through: Mr. Sameer Vashisht, Standing Counsel (Civil), GNCTD along with Mr. Manashwy Jha, Panel Counsel, Mr. Swapan Singhal, Advocates for GNCTD (PWD)  
Ms. Beenashaw N. Soni (SC, MCD) along with Ms. Mansi Jain, Advocate for MCD.

**CORAM:**

**HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

% **03.09.2025**

**W.P.(C) 9492/2025 & CM APPL. 40060/2025 (stay)**

1. Heard the learned counsel for petitioner.
2. The prayer of petitioner reads as thus:

*“A. Issue writ, order or direction in the nature of the Mandamus to direct the respondents to stay further demolition or dispossession of the petitioners from their hawking site and to consider their applications for regularisation and alternate allotment in accordance;*

*B. Issue writ, order or direction to stop and demolish*



*the illegal construction which is against the direction passed by this court issued to Municipal Corporation of Delhi;”*

3. It is the case of petitioners that they are holding Certificates of Vending (**‘COVs’**) under the provisions of the *Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014* and are engaged in vending fish and vegetables.
4. Petitioners submit that their structures were demolished, which led to filing of the present petition.
5. However, the fact remains that COVs issued in favour of petitioners, do not create any absolute right with respect to stationary vending activity.
6. Furthermore, among other things, the vending activity carried out by petitioners includes vending of fish, which, as per the respondents, is causing nuisance and creating traffic hazards.
7. It is also a fact that the vending activity under the COVs does not permit the petitioners to undertake such activities.
8. That being so, we are not inclined to grant any indulgence, particularly, since the demolition or dispossession has already been affected.
9. However, with respect to prayer *clause (B)*, since the allotment of an alternate site falls within the ambit of the Delhi Development Authority (**‘DDA’**), which is not a party to the present petition, we deem it appropriate to grant liberty to petitioners to approach the DDA regarding their grievance concerning the allotment of an alternate site for carrying out vending activity.
10. In case if such representations are made by petitioners to the DDA,



the same shall be considered in accordance with law.

11. Accordingly, the petition stands disposed of. Pending application, if any, are rendered infructuous.
12. Order be uploaded on the website of this Court.

**NITIN WASUDEO SAMBRE, J**

**ANISH DAYAL, J**

**SEPTEMBER 3, 2025/ak/zb**