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

+ **W.P.(C) 17162/2025 & CM APPL. 70592/2025**

VINOD KUMAR

.....Petitioner

Through: Mr. Anil Panwar, Mr. Abhimanyu
Chauhan, Mr. Tanishq Panwar & Ms.
Arushi Panwar, Advs.

versus

**MUNICIPAL CORPORATION OF DELHI THROUGH ITS
COMMISSIONER & ANR.**

.....Respondents

Through: Ms. Puja S. Kalra, Standing Counsel
with Mr. Ajay Gothalwal, ASO,
MCD.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

14.11.2025

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1. In compliance of the order dated 12th November 2025, petitioner has placed on record an affidavit. Paragraphs 4, 5 & 6 of the said affidavit reads as under:

“4. That the second Tehbazari was offered by the respondent vide letter dated 01.08.2025 in compliance of order dated 28.07.2025 passed Ms. Shama Gupta-MACT, PO Zonal Committee appointed by the Hon'ble Supreme Court and the petitioner deposited an amount of Rs.30,275/- in terms of status report dated 27.05.2025 and only thereafter, the second Tehbazari was allotted in



Moti Nagar, Delhi though the same was in existence since 1982 in different places.

5. *That be that as it may, the deponent states that he would prefer to hold his only Tehbazari, i.e., site No. 7, Ganesh Market, Moti Nagar, New Delhi-110015, subject to that, the respondent take action against all other similar situated persons with immediate effect and the amount deposited by the petitioner is refunded to him.*

6. *That the deponent further states that the respondent with a malafide intention and ill motive is not receiving the fee of initial Tehbazari, i.e., site No. 7, Ganesh Market, Moti Nagar, New Delhi-110015 from the petitioner, so they be also directed to accept the fee of the said tehbazari from the Petitioner.”*

2. As far as the refund of amount claimed by the petitioner is concerned, the counsel appearing for the respondent states that the petitioner may appear before the competent authority, i.e. Assistant Commissioner for refund of the amount along with all the proofs of deposit and the request of petitioner shall be dealt with and considered in accordance with law and decision shall be communicated to the petitioner within a period of three months from the date of appearance of the petitioner.

3. As regards the claim of the petitioner to permit him to continue with Tehbazari activity at the site which is reflected in the last order so also in paragraph 5 of the affidavit is concerned, we deem it appropriate to allow him to continue Tehbazari activities in accordance with law and as per the terms and conditions of the Tehbazari certificate. Dues, if any, to be payable by the petitioner shall be cleared within a period of six weeks from today.



4. The petitioner undertakes to appear before the Assistant Commissioner on the said issue for reporting necessary compliance and counsel for the respondent states that correspondingly, the request of the petitioner for identification of the said site shall be attended thereto.
5. It is further assured by the counsel appearing for the respondent that actions are already initiated against persons who are holding two Tehbazari certificates (by issuing show cause notices) and such certificate holders shall be given an option to surrender one out of the two certificates.
6. With the above observations, the writ petition stands disposed of.
7. Pending application, if any, stands disposed of.
8. Order be uploaded to the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

NOVEMBER 14, 2025

ab/ss