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

+ W.P.(C) 506/2025 CM APPL. 2347/2025

BACHCHU SINGH & ANR.Petitioners

Through: Mr M Faisal, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI

& ORS.

.....Respondents

Through: Mr. Pratham Agarwal, Advocate for
R1 & R2.

Mr. Awadhesh Kr Singh, Advocate
for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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04.03.2025

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondents restraining them from evicting the petitioners from the hawking sites described as "Opposite 90, Mansarover Building, Nehru Place Commercial Complex, New Delhi". Additionally, the petitioner also prays that the directions be issued to respondents to conduct a survey and include them in the said survey.
2. The learned counsel appearing for respondent no.1 & 2/ Municipal Corporation of Delhi (hereafter *the MCD*) points out that the relief sought by the petitioners was examined by this Court in an earlier writ petition filed by the petitioners being W.P.(C) No.2566/2017 captioned as ***Bachchu Singh & Anr. v. South Delhi Municipal Corporation & Ors*** and the same was dismissed by an order dated 07.09.2017. He submits that in the said view, the present petition is not maintainable.
3. It is also pointed out that the petitioner had assailed the said order



(order dated 07.09.2017 in W.P.C 2566/2017) by filing an SLP in the Supreme Court being Special Leave Petition (Diary) no.28875/2018. By an order dated 24.08.2018 passed in the said SLP, the Supreme Court had granted relief and directed that *status quo* be maintained and had tagged the SLP alongwith SLP (Civil) No.19192/2018, which this court is informed was preferred by Manushi Sangathan. However, thereafter, the SLP preferred by the petitioners was dismissed by an order dated 06.01.2022. The Supreme Court expressly vacated the *ad interim* relief granted earlier.

4. In view of the above, we find merit in the contentions advanced on behalf of the MCD that the relief sought by the petitioner is not required to be re-visited.

5. The learned counsel appearing on behalf of the petitioner submits that the petitioners are similarly placed as members of Manushi Sangathan. He submits that certain protective orders have been passed to permit members of Manushi Sangathan to vend in the given area at Nehru Place notwithstanding that it has been declared as a no vending/no hawking zone and the petitioners must be extended a similar relief.

6. We note that the said contention has also been examined by this court in the earlier writ petition filed by the petitioner being W.P.(C) 2566/2017. The order dated 07.09.2017 disposing of the said petition expressly records that the counsel for the petitioners had referred to the decision of the Division Bench of this Court in LPA no.766/2008 captioned ***Manushi Sangathan, Delhi v. Delhi Development Authority & Ors.*** It is pointed out to the court that 67 (sixty-seven) vendors were permitted to vend in the said area, who were under the umbrella of Manushi Sangathan. Additionally, 85 (eighty-five) number of other vendors were also protected by various orders



passed by this court.

7. In a meeting held on 10.08.2009 under the chairmanship of Hon'ble Lieutenant Governor of Delhi, it was decided that the area Nehru Place District Centre should be declared as a no-hawking Zone.

8. This court had found that the petitioners were not amongst the vendors who had secured protective orders. The court also found that the petitioners were not the regular street vendors as their name did not appear in the list prepared by the Thareja Committee in the year 1992 or the Chopra Committee, under the orders of the Supreme Court in 1989 and 1994.

9. The relevant extract of the said decision is set out below:

“17. Additionally, prima-facie, we are of the view that the DDA (erstwhile Land Owning Agency) and the MCD have taken a consistent stand that Nehru Place District Centre is a “No Hawking No Vending” zone and they shall not allow any other person to vend except for those persons who find mentioned in their affidavit and form part of the order of the Supreme Court which has been reproduced above and some other persons who have been granted protection by different Courts.

21. Taking into consideration the submissions made by the learned counsel for the parties, we are of the view that the DDA, erstwhile land owning agency, and the SDMC, have taken a consistent stand that Nehru Place District Centre has been declared as a No Hawking and No Vending Zone, however, while deciding LPA No. 766/2008 a Division Bench of this Court while disposing of the LPA directed to continue with the pilot project and the appellant-NGO Vendors of Manushi were permitted to hawk in the area demarcated by the DDA. It was left open to the DDA to examine



whether Nehru Place or the said area should be declared a no hawking area. After the passing of the order by the Division Bench on 17.4.2009, the matter was considered by the DDA in the meeting held on 10.8.2009. The Minutes of the meeting have been extracted. The minutes were duly confirmed. Subsequently, as stated in the affidavit filed before the Supreme Court of India, protection was granted in the LPA only to members of **Manushi Sangathan** and certain other street vendors who were enjoying protection of orders passed by different Courts. The names of both the petitioners do not find mentioned in either of the list prepared by Thareja Committee, 1992 or Chopra Committee. Resultantly, we find no merit in the present writ petition and the same is accordingly dismissed.”

10. In view of the above the present petition is also required to be dismissed as there are no grounds to re-examine the grievances raised by the petitioner. The petition is, accordingly, is dismissed.

11. The pending application is also disposed of.

VIBHU BAKHRU, J

TEJAS KARIA, J

MARCH 04, 2025

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