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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1224/2025 & CM Nos.6018/2025 & 6019/2025
PREETHIVI RAJPetitioner

Through: Mr. N.K. Sahoo, Adv.

Versus

NEW-DELHI MUNICIPAL COUNCIL ANR ORS.....Respondents

Through: Counsel for the respondents
(appearance not given)

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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31.01.2025

1. Issue notice. The learned counsel appearing for the respondents accepts notice.
2. The petitioner has filed the present petition, *inter alia*, praying that he be permitted to squat in front of / opposite Gate No.2, D-Avenue, Sarojini Nagar Market, New Delhi till a vending plan is prepared under Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereafter *Street Vendors Act*) and to allow him to further participate in the fresh survey that is being conducted in terms of the Street Vendors Act.
3. The petitioner has annexed with the petition several challans indicating that he has been carrying on vending activities in Sarojini Nagar Market since 2003. Plainly, if the petitioner was carrying on his vending activity in Sarojini Nagar on the date when the Street Vendors Act came into force, that is on 01.05.2014, the petitioner could not be evicted in view of Section 3(3) of the Street Vendors Act till the Vending Plan is prepared. However, the learned counsel appearing for respondent no.1/New Delhi Municipal Corporation (NDMC) submits that the petitioner has not been regularly vending at Sarojini



Nagar market as his name does not feature in any of the surveys that were conducted earlier. He points out that the petitioner's name does not feature in the list of street vendors prepared in the year 2007. He further points out that the petitioner's name also does not feature in the list of 628 persons who were considered eligible for allotment of *tehbazari* spaces in the year 2012. Additionally, he submits that the petitioner's name does not feature in the list of street vendors prepared in 2018 as well.

4. We do not consider it apposite to examine the question whether the petitioner was regularly carrying on vending activities at Sarojini Nagar as on 01.05.2014 (the date on which Street Vendors Act) came into force. However, there is sufficient material on record to indicate that the petitioner has been regularly carrying on street vending activities at Sarojini Nagar Market.

5. In view of the above, we dispose of the present petition by directing the petitioner to approach the Town Vending Committee (TVC) / NDMC with the supporting documents to establish that he was carrying on vending activities as on 01.05.2014 and has been continuing to do so since. The TVC/concerned authorities shall consider the petitioner's case in accordance with law.

6. We clarify that the fact that the petitioner's name does not feature in any of the lists would not by itself, be sufficient to reject the petitioner's case if he is able to establish that he has been carrying on vending activities at Sarojini Nagar since prior to the enactment of the Street Vendors Act. We also clarify that petitioner is not precluded from participating in the survey that is currently being conducted.



7. The petition is disposed of in the aforesaid terms. Pending applications are also disposed of.

VIBHU BAKHRU, J

TUSHAR RAO GEDELA, J

JANUARY 31, 2025

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