



2026:DHC:1012-DB



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IN THE HIGH COURT OF DELHI AT NEW DELHI*Date of decision: 5th February, 2026**Uploaded on: 9th February, 2026*

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W.P.(C) 151/2026 & CM APPL. 762/2026, CM APPL. 7844/2026**PALIKA BAZAR SHOPKEEPERS WELFARE ASSOCIATION****AND ORS**

.....Petitioners

Through: Mr. Sanjeev Ralli, Sr. Adv. with Mr. Mohit Mudgal Mr. Ravi Kant Yadav, Mr. Chetanya A. and Ms. Nivedita Sharma, Advs.

versus

GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Sriharsha Peechara, SC for NDMC Mr. Aditya Bharat Manubarwala, ASC, Mr. Tushar Sannu, ASC with Mr. Soumit Ganguly, Ms. Ishika Jain, Ms. Ravicha Sharma, Ms. Shruti Agarwal, Mr. Akash Sharma, Ms. Tanishka Grover, Ms. Charvi Virmani, Advs. for NDMC Mr. Vikram Kumar Yadav, Joint Director Enforcement (Mobile No. 9015235420) Mr. Bibhuti Bhushan Mishra with Mr. Dhruv Chauhan, Ms. Niharika Pun. Mr. Himanshu Mishra, Mr. Shivam Mishra, Mr. Rahul, Mr. Siddharth Gupta and Mr. Anubhav Gupta, Advs. for intervenor.

CORAM:**JUSTICE PRATHIBA M. SINGH****JUSTICE MADHU JAIN****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.



2. The prime locality of Connaught Place including Palika Bazaar is the subject matter of this petition. As always, the two stakeholders who have competing interests are the shopkeepers on the one hand and street vendors on the other.

3. A scheme had been prepared by the New Delhi Municipal Council (hereinafter, 'NDMC') way back in 2007 namely, '*Scheme for Street Vendors in N.D.M.C Area*', declaring the areas namely, Connaught Place, Connaught Circus (i.e., Rajiv Chowk and Indira Chowk) as No-hawking and No vending areas. The relevant portion of the said scheme reads as under:

"Non-vending areas:-

4.2 In view of the fact that NDMC is a security sensitive area, no squatting shall be allowed on the roads and the areas specified hereunder:-

- *The areas covered by Lutyens' Bungalow Zone (LBZ) as specified in the Zonal Development Plan (Zone-D)*
- **Areas in Rajiv Chowk and Indira Chowk.**
- *Areas around Supreme Court, Chankyapuri Foreign Mission Area.*
- *Areas near the Delhi Metro Rail Corporation Stations.*
- *However, in these areas, wherever the built up units like kiosks, stalls etc. have been constructed by NDMC, the same shall be allowed to continue. If Vending Committee feels that this area be extended, it can do so after issuing a public notice"*

4. The said scheme was approved by the Supreme Court in its decision in ***Sudhir Madan & Ors. v. MCD & Ors, 2007 SCC OnLine SC 758*** wherein *vide* judgment dated 17th May, 2007, it was observed as under:

"28. The New Delhi Municipal Committee has also submitted its Scheme. We have considered the



Scheme submitted before us. The area which falls under NDMC does not create problems such as those in the areas under MCD. However, in the said Scheme reference has been made to persons who do not have permission under Section 225 or licence under Section 330 of the NDMC Act, 1994 but who are unauthorisedly continuing to carry on business as hawkers/street vendors. They have been described as those who are “tolerated” in the NDMC area. We fail to understand why any person who violates the law should be tolerated. Either they should be compelled to obey the law or the law may be suitably amended, if it is found to create undue hardship. The problems need to be addressed by the legislature or the rule-making authority. We, therefore, observe that if it is felt that the persons who fall in this category require special protection, the Act may be suitably amended to cover their cases or else the number of such illegal squatters may increase from time to time.

29. There has been no serious objection to the Scheme submitted by NDMC which is a comprehensive scheme. Certain directions have, however, been sought for from this Court. We approve the Scheme submitted by NDMC.”

5. Thus, the declaration of these areas as no vending zones was approved by the Supreme Court. The said judgment has also been reiterated by various orders passed by the Co-ordinate Benches of this Court including in ***W.P.(C) 11669/2021***, titled ***New Delhi Traders Association v. New Delhi Municipal Corporation & Ors.*** whereby in order dated 11th October, 2021, it was directed as under:

4. The petitioner – which is the association of traders of shop owners/operators in the Connaught



Place (CP) area, i.e., Rajiv Chowk and Indira Chowk, have preferred the present writ petition to seek directions to the respondents to ensure that illegal hawking and squatting/ vending activities in No Hawking and No Vending areas of Connaught Place and Connaught Circus (known as Rajiv Chowk and Indira Chowk) area stop permanently and the said areas are kept free from encroachments by illegal hawkers and vendors/ squatters. The petitioners also seek a direction that once removed, the hawkers do not resurface.

5. Mr. Ralli, learned senior counsel for the petitioner has, firstly, drawn our attention to the scheme framed by the NDMC as per which Connaught Place area, i.e. Rajiv Chowk and Indira Chowk have been declared as no hawking and no vending zone. He has also drawn our attention to the order passed by the Supreme Court which approved the said scheme. Mr. Ralli has shown us the relevant documents which establish that Connaught Place area has been re-designated as Rajiv Chowk and Indira Chowk. He has also drawn our attention to the orders passed in earlier proceedings where again the stand of the respondent/ NDMC has been recorded that Rajiv Chowk and Indira Chowk are no hawking and no vending zones. The petitioner has placed on record several photographs which show the present state of affairs on the ground in the Rajiv Chowk and Indira Chowk areas. There are scores and scores of hawkers and vendors who are occupying public spaces on the pavements meant for pedestrian use. Large areas have been occupied by them to display their goods and wares which they are vending. Large congregations of crowds can be seen around these vends. The photographs placed on record show complete lack of concern by the respondent authorities to the unauthorised encroachments, and



expose their utter lack of competence in ensuring compliance of their own scheme, as well as the orders passed by this Court as well as the Supreme Court from time to time. It is as if the respondents have completely surrendered and accepted the invasion by hawkers and vendors and they have put their hands up, accepting helplessness

6. Mr. Peechara – who appears on behalf of respondent No.1, states that there are about 80 hawkers, who were issued Tehbazari, within the entire Connaught Place area. He submits that the scheme placed on record is not complete, and even in terms of the scheme approved by the Supreme Court vide order dated 17.05.2007 in W.P. (C.) No. 1699/1987 titled Sudhir Madan & Others Vs. Municipal Corporation of Delhi & Others, these vendors were not sought to be disturbed.

7. Mr. Peechara submits that the respondent Corporation has only two Engineers assigned to look after the entire Connaught Place area, and he submits that the squatting and vending activity start in later part of the day, i.e. after the working hours of the officers of the respondent Corporation.

8. We find these submissions to be completely unacceptable. It is for the respondent Corporation to manage its affairs, and it cannot express its helplessness for the aforesaid reasons. It is for the respondent Corporation to decide how many officers are required to be posted to manage its affairs and discharge its statutory obligations in the area falling within its jurisdiction. If more officers are required, it is for the respondent Corporation to depute them and it is not for this Court to monitor the said aspect.

9. Similarly, we cannot accept the submission that squatting and vending takes place after the office



hours and, therefore, the respondents are not responsible. Firstly, this is not borne out from the record, since the photographs show their time-stamp of around 02:02:23 p.m., and secondly, in any event, it is for the respondent to ensure that sufficient officers are on duty round the clock.

10. Mr. Peechara submits that the respondent Corporation has been writing letters to the Delhi Police to provide force for removal of the encroachments.

11. At this stage, we may observe that the authorities like NDMC are very efficient when it comes to writing letters and keeping their “record” straight. However, they have miserably failed while discharging their obligations on the ground. We are not satisfied with the mere paper exercise that the respondent claims to have undertaken. In our view, such an exercise is merely undertaken to shun responsibility by the officers, and pass the buck on.

12. Mr. Kumar – who appears for the Delhi Police, states that the Police is willing to provide the force for removal of encroachments contrary to the scheme framed by the NDMC.

13. We fail to understand as to why such statements are made only when the matter is brought before the Court. Is it that the Delhi Police is not conscious of its duties and responsibilities otherwise?

14. We, therefore, issue a stern warning to both – the officers of the NDMC as well as to the Delhi Police who have jurisdiction over the Connaught Place area, i.e. Rajiv Chowk and Indira Chowk, to ensure strict compliance of not only their scheme approved by the Supreme Court, but also the orders passed by the Supreme Court and by this Court. There should be zero tolerance shown by them, and



all hawkers, vendors – except the original 80 odd vendors – as stated by Mr. Peechara, should be removed bag and baggage. The rule of law has to prevail, and we cannot allow the city to be taken over by illegal encroachers/ vendors. Such failure on the part of the respondent authorities in discharging their duties very severely and adversely impacts the rights of the citizens of the city, including their right to life, which includes the right to a healthy and clean environment.

15. We direct the Chairman, NDMC as well as the Executive Engineers of the NDMC having jurisdiction over the Connaught Place area, as well as the DCP of the area concerned and the SHO of the local police station to remain present before us on the next date. Status reports should be filed by the NDMC and the Delhi Police about the steps taken by them-not only to remove the encroachments, but also to ensure that the illegal encroachers and vendors do not return and the area is kept clean on a continuous basis.

16. The respondent/ NDMC should display permanent boards in the entire Rajiv Chowk and the Indira Chowk areas displaying the fact that the area is a no hawking and no vending zone.

6. In the meantime, the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 has been enacted which gives various rights to street vendors and protection as well. Under the said Act, the Town Vending Committee (hereinafter, 'TVC') of the NDMC had conducted a survey in the Connaught Place, Palika Bazaar and the other neighbouring areas and finalised lists of few vendors who were vending in the past in the said areas with an intention to permit some limited vendors in Connaught Place and Palika Bazaar Areas.



7. Some such vendors, after the survey was conducted, were also issued the provisional Certificates of Vending (hereinafter, 'COV'). However, the said vendors have not been permitted to vend.

8. The NDMC in consultation with the TVC has also prepared the draft Town Vending Plan which was put up for objections and stakeholder comments.

9. The associations of shopkeepers and the vendors had filed their objections, representations and given their stand/comments to the NDMC.

10. The Town Vending Plan has now been finalised by the NDMC, after considering all the submissions of the various stakeholders. The Minutes of Meeting of the TVC dated 9th October, 2025 of the meeting dated 06th October, 2025, by which the Town Vending Plan was approved are set out below:

“5. TVC after going through the Town Vending Plan and objections received in this regard, unanimously decided that the objections received are generic in nature and have no substance. Accordingly, Town Vending Plan prepared by Architect Department may be submitted to GNCTD for its approval and notification at the earliest.”

11. The stand of the shopkeepers is that none of the objections have been taken seriously or even considered and no reasoning has been given as to why the objections raised are not valid. Similar is the stand of even the vendors and the other hawkers who are aggrieved by the non-consideration of their objections.

12. The position as it stands today is that the entire Town Vending Plan submitted by the NDMC to the GNCTD has to be now approved by the



Competent Authority in terms of Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. The said provision reads as under:

“21. Plan for street vending.— (1) Every local authority shall, in consultation with the planning authority and on the recommendations of the Town Vending Committee, once in every five years, prepare a plan to promote the vocation of street vendors covering the matters contained in the First Schedule.

(2) The plan for street vending prepared by the local authority shall be submitted to the appropriate Government for approval and that Government shall, before notifying the plan, determine the norms applicable to the street vendors.”

13. In this petition the association of shopkeepers prays for setting aside of the survey conducted by the TVC in the NDMC area as also the recommendations made by the NDMC for approval of the Town Vending Plan. There are some alternate prayers made in the present petition as well. The prayers in the present petition are set below:

*“(a) Issue the Writ of Certiorari or any other appropriate order thereby quashing/setting aside –
(i) impugned TVC’s survey in NDMC area,
(ii) Recommendations dated 06.10.2025, acceptance of Impugned TV plan by NDMC, and
(iii) issuance of COVs by TVC, all the above acts done after the expiry of statutory term and mandate of TVC rendering them void and without jurisdiction,*

In the alternative

(b) Issue writ of certiorari or any other appropriate writ or direction or order thereby quashing/ setting



aside the arbitrary and illegal recommendations of Town Vending Committee (TVC), NDMC Zone dated 06.10.2025 and the acceptance of the same by NDMC to the extent it relates to the converting of the “existing No Vending areas of Regal and Palika Bazar” into Vending areas (for 146 vending sites) in an arbitrary and illegal manner;

(c) issue writ of certiorari or any other appropriate writ or direction or order thereby quashing/ setting aside the illegal survey conducted by TVC in the existing No-Vending/ No-Hawking areas of Connaught Place and Connaught Circus and quash/ set aside the survey lists i.e. Regal List and Palika Bazar List (Annexure P-8 and P-9, respectively);

(d) to issue appropriate writ or order declaring the issuance of Certificates of Vending (“COV”) by NDMC/ TVC for the existing No Vending areas of Connaught Place, Palika Bazar and Regal as illegal and contrary to the provisions of SV Act and SV Scheme;

&/or

(e) to pass any other appropriate Order/direction as the Hon’be Court may deem fit and proper in the interest of justice.”

14. As can be seen from the above, the association of shopkeepers pray that the decision of the NDMC accepting the recommendation of the architect of the Town Vending Plan deserves to be quashed. In the alternative, it is prayed by the Petitioners that the conversion of Regal and Palika Bazaar areas into vending areas also deserves to be quashed. As per the Petitioners, the survey lists issued by the NDMC also deserve to be set aside and it is also prayed that no COVs can be issued in this area.

15. Some objections have been raised by Mr. Ralli, Id. Sr. Counsel in respect of the survey conducted as also the list of vendors which have been



drawn up. Ld. Sr. Counsel submits that the list of vendors is not genuine and *bona fide* and the NDMC has not been transparent in the manner in which it has drawn up the said list.

16. Mr. Sriharsha Peechara, Id. Counsel under instructions from Mr. Vikram Kumar Yadav, Joint Director Enforcement, NDMC submits that the vendors' list has been prepared on the basis of challans issued historically in the said area and in view of the requirement of geo-tagging. Ld. Counsel for the NDMC assures the Court that no vending is being permitted presently in the subject areas.

17. The present petition was first entertained on 7th January, 2026 and it was recorded on the said date that Connaught Place being a no vending zone, *prima facie*, the COVs could not have been issued by the concerned authorities. Accordingly, the Court *vide* order dated 7th January, 2026 had directed as under:

“6. Heard. The Court is prima facie of the opinion that the issuance of COVs to street vendors would be a contradiction, if the Connaught Place area is a No-vending zone. Moreover, it is not clear as to how vending sites are being allocated to street vendors and COVs are being issued.

7. Ld. Counsels appearing for NDMC wishes to seek instructions in this matter.

8. List along with W.P.(C) 4519/2025 titled 'Mahesh Kumar Yadav v. Town Vending Committee & Ors., on 16th January, 2026 in the Supplementary List.

9. In the meantime, it is made clear that no further vending spaces shall be allocated and no COVs shall be granted to the street vendors, until further hearing in this matter.”

18. Thereafter, the said order was clarified by this Court on 16th January,



2026 in the following terms:

"4. It is also noted that in W.P.(C) 151/2026, an order was passed on 7th January, 2026, wherein, para 9 stated as under:

"9. In the meantime, it is made clear that no further vending spaces shall be allocated and no COVs shall be granted to the street vendors, until further hearing in this matter."

5. With respect to the said paragraph, it is clarified that no vending spaces shall be allocated and no COVs shall be granted, only in no-vending zones, until further hearing in this matter."

19. The position today is that the Town Vending Plan is yet to be approved by the Competent Authority. The grievances of the Petitioners and the vendors are that their objections were not considered seriously by the NDMC.

20. Obviously, the Town Vending Plan which has been submitted by the NDMC has to be approved by the appropriate Government and even the norms have to be determined by the appropriate Government in terms of Section 21(2) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

21. Under these circumstances, the prayers being sought in this writ petition would be premature at this stage inasmuch the appropriate Government is yet to take a final decision on the Town Vending Plan submitted by the NDMC.

22. However, in order to ensure that all the parties who are effected, *i.e.*, shopkeepers and the vendors are able to place their stand before the appropriate forum, it is deemed appropriate to direct that the representatives



of these two stakeholder groups may be permitted to appear before the Competent Authority so that their objections can be considered while fixing of norms and before taking a decision in this matter.

23. For this purpose, it is directed that five representatives of the shopkeepers and five representatives of the vendors would be permitted to appear before a Committee considering the Town Vending Plan. Mr. Rajesh Choudhary, Joint Secretary, Department of Urban Development, Government of NCT of Delhi, shall fix a meeting between the Committee and the stakeholders wherein the shopkeepers and the vendors shall be heard and thereafter, a decision shall be taken. Mr. Vikram Kumar Yadav, Joint Director Enforcement, NDMC who is present in Court today shall coordinate with the shopkeepers and vendors associations to identify the representatives who would attend the said meeting. Ld. Counsel are free to contact Mr. Yadav and give the names of their respective clients.

24. In this said meeting, both the stakeholders' groups are permitted to give written and oral submissions so that all the issues can be fully heard and considered and the norms can be fixed accordingly. The concerned officials from the NDMC shall also be present in the said meeting.

25. The meeting shall be held between the stakeholders and the Committee considering the Town Vending Plan on **24th February, 2026** at **11:30 A.M.** in the office of Mr. Rajesh Choudhary, Joint Secretary, Department of Urban Development, Government of NCT of Delhi Department of Urban Development, Government of NCT of Delhi. Mr. Choudhary is free to call any other department officials who may be required for the said interaction. If the views of any other stakeholders are to be considered, Mr. Choudhary shall do the needful for hearing them.



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26. After the hearing, decision shall be taken by the Competent Authority by 30th April, 2026 in respect of the Town Vending Plan submitted by the NDMC and the norms shall also be fixed in terms of Section 21(2).

27. The following persons may be contacted by Mr. Yadav to coordinate for the said meeting:

- *Sh. Vinay Kumar Thakur,
General Secretary, Palika Bazar
Shopkeepers Welfare, Associations,
Mobile No.: 9818257985*
- *Sh. Vikram Badhuar,
General Secretary, New
Delhi Traders' Association
Mobile No. 9811080001*

28. List for reporting compliance on 18th May, 2026.

29. All rights and remedies of the Parties are left open as the contentions of the parties on merits have not been considered by this Court.

30. This petition is disposed of in these terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

FEBRUARY 5, 2026/ys/ck