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

+ **W.P.(C) 2321/2026**

HAWKERS SURAKSHA FOUNDATIONPetitioner

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

versus

NEW-DELHI MUNICIPAL COUNCIL AND ORS.Respondents

Through: Mr. Sriharsha Peechara Standing
Counsel for NDMC with Mr. Aditya
Manubarwala ASC, Mr. Soumit
Ganguli, Ms. Ravicha Sharma, Ms.
Shruti Agarwal and Mr. Akash Sharma
Advocates (M: 9717466788).

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **18.02.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-Hawkers Suraksha Foundation which claims to be an NGO working for the cause of squatters and hawkers under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to consider the Petitioner and its authorized persons for representation before the committee considering the Town Vending Plan in compliance with the order dated 5th February, 2026 passed by this Court in ***W.P.(C) 151/2026*** titled '***Palika Bazar Shopkeepers Welfare Association & Ors. v. Govt. of NCT of Delhi***'.
3. The Petitioner claims that it has been representing the groups of hawkers and vendors for several years, both before the Delhi High Court and Hon'ble Supreme Court. Various writ petitions have been filed by the



Petitioner, wherein the Petitioner has represented hawkers and vendors. The list of the said petitions have been mentioned in paragraph 6 of the present petition.

4. The prayer in this writ petition, *inter alia*, is that *vide* order dated 5th February, 2026, this Court, in ***Palika Bazar Shopkeepers Welfare Association and Ors. (Supra)*** had directed hawkers to be represented before the Department of Urban Development, Government of NCT of Delhi, which is now considering the Town Vending Plan submitted by the New Delhi Municipal Council (hereinafter, 'NDMC'). In the said writ petition, five representatives on behalf of the hawkers have been permitted to make their submissions before the Joint Secretary, Department of Urban Development, Government of NCT of Delhi.

5. The Petitioner further prays that the representatives of the Petitioners may also be permitted to appear before the said official to place their position.

6. Heard. In the order dated 5th February, 2026 in ***Palika Bazar Shopkeepers Welfare Association and Ors. (Supra)***, the directions given by this Court are as under:-

“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.

xxxx

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, ld. 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, ld. 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.

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). ”

7. As can be seen from the above order, both the stakeholder groups are permitted to give written and oral submissions to present their case before the Joint Secretary, Department of Urban Development, Government of NCT of Delhi.

8. Considering the background of this Petitioner, *i.e.*, who has been representing the vendors in several litigations before this Court, two representatives of the Petitioner are permitted to take part in the said consultations in terms of order dated 5th February 2026.

9. Thus, on behalf of the vendors and hawkers, there would now be seven representatives in the meeting to 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.

10. No further orders are sought. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

FEBRUARY 18, 2026

MR/ck