



2026:DHC:3874-DB



\$~58 & 59

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

Date of decision: 5th May, 2026

Uploaded on: 7th May, 2026

+ **CONT.CAS(C) 448/2026**

NARESH CHAND AND ORS

.....Petitioners

Through: Mr. Kamlesh Kr. Mishra, Mr. Swagata Gupta, Ms. Renu, Adv.

versus

**SH. WAIROKPAM PUNSHIBA
SINGH AND ANR.**

.....Respondents

Through: Mr. Rajan Tyagi, Standing Counsel,
MCD with Ms. Vijeta Mukherjee Adv.
Mr. Rajesh Bansal, Assistant
Commissioner, MCD.
Ms. Avni Singh, Panel Counsel for
GNCTD with Mr. Gaurav Sharma AE
PWD, Shahdara Road Division & Mr.
Nitesh Sijoriya, JE, Shahdara Road
Division.

59

AND

+ **W.P.(C) 5617/2016 & CM APPL. 24733/2026, CM APPL.
24734/2026**

MAHILA HAWKER WELFARE ASSOCIATIONPetitioner

Through: Ms. S. Janani, Sr. Adv and Mr. Nishant Kumar, Adv.
Mr. Kamlesh Kumar Mishra, Mr. Swagata Gupta, Ms. Renu, Ms. Seema Dhiman, Advocates
(Mobile no. 9818633210)
Mr. Subhro Prokas Mukherjee, (DHCLSC), Md. Shah Minhajuddin and Md. Adil Khan, Adv. for Applicant.

versus



DISTRICT MAGISTRATE, SHAHDRA & ORS.Respondents

Through: Mr. Rajan Tyagi, Standing Counsel,
MCD with Ms. Vijeta Mukherjee Adv.
Mr. Rajesh Bansal, Assistant
Commissioner, MCD.
Ms. Avni Singh, Panel Counsel for
GNCTD with Mr. Gaurav Sharma AE
PWD, Shahdara Road Division & Mr.
Nitesh Sijoriya, JE, Shahdara Road
Division.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CONT.CAS(C) 448/2026

2. The present contempt petition has been filed by the Petitioners under Section 11 and 12 of the Contempt of Courts Act, 1971 alleging contempt of the order dated 22nd January, 2026/27th January, 2026 passed by this Court.

3. *Vide* order dated 22nd January, 2026/27th January, 2026, this Court had given detailed directions in respect of the beautification and development of the Anand Vihar Bus Terminal area and had also directed that the MCD shall prepare, with the help of an architect, a proper plan for the beautification of the said area. The relevant portion of the said order is set out below:

“[...]

25. *The clear position that emerges from the facts and submissions made today is that the congestion in the Anand Vihar Bus Stand area deserves to be removed.*

26. In addition, the Court is of the view that the



MCD ought to be permitted to beautify the area, by creating a service road where passengers who come in three-wheelers, cabs, auto rickshaws or other transports can easily alight, before entering the railway station or bus stand.

27. There ought to be free space for movement of the public. Beautification and development of the area is also required, so that the passengers and tourists can enjoy a comfortable experience while visiting a bus stand or the nearby railway station.

28. The manner in which hawking is presently being done is completely impermissible as it also encroaches upon the area created for easy movement of the public.

29. Thus, the entire area deserves to be properly re-planned, laid out, landscaped and tiled. As part of this process, some shops, cafes, resting areas, sanitation facilities, etc., ought to be created for the passengers in a manner so as to not impede their free movement.

30. Under these circumstances, the present position cannot continue. The hawkers deserve to be removed and only the 105 hawkers, as recognized during the survey, should be permitted to use mobile vends for selling their wares in an allocated manner. No permanent structure can be allowed to be created by the 105 recognized vendors as well.

31. The MCD shall, accordingly, take steps, along with the SHO or the DCP of the concerned area, to remove all the vendors. However, adequate time shall be given of at least five to six days for the vendors to remove their wares. Hence, the MCD is granted time till 30th January, 2026 to take appropriate steps to inform the vendors of the directions of this Court.



Thereafter, from the weekend commencing on 31st January, the removal of the vends shall commence.

32. No person shall obstruct or create any impediment in the removal of these vends. After the said removal, the recognised vendors shall be permitted to approach the Assistant Commissioner, MCD, who shall then guide the 105 recognised vendors as to the manner in which they can put up their carts and vends in the area, in compliance with the conditions enumerated in the provisional COVs issued to them.

33. The MCD shall also prepare, with the help of an architect, a proper plan for beautification of the area and for allocation of proper spaces for eating outlets, sanitation facilities and for some shops, as directed above. The said plan shall also be placed on record before the Court by 10th March, 2026.

34. The MCD is free to take the assistance of any Architect in PWD in this regard including Ms. Sabita Sahoo, Architect, PWD (+91 7205532243), in the entire process of preparing the architectural plan, as stated above. Further, the PWD shall also assist the MCD in creating a plan for beautification of this area so that the work can commence on an early date, upon the plan being placed before this Court.

35. By 10th March, 2026, the MCD shall place on record the said plan, both in electronic form and in a hard copy.

36. With the present order being passed, all previously granted interim orders stand modified in terms thereof. Insofar as the applications filed by other hawkers and vendors for directions are concerned, except for the 105 hawkers recognized during the survey, in terms of the list handed over today, no other



vendor shall be permitted to vend in this area.

37. All encroachments and any other shops, carts, vends, etc., are also permitted to be removed. The list of the 105 vendors recognized by the TVC during its survey has been handed over to the Court today and is taken on record. The said list is attached with the present order and is marked as ‘Annexure A-1’.

38. Additionally, it is directed that if there are any other vendors who participated in the survey conducted by TVC and were found eligible in terms of the said survey shall be permitted to vend their wares, only if the provisional COVs have been issued to them by the TVC....”

4. In terms of the above order, the Court had considered the situation of congestion taking place in the Anand Vihar Bus Terminal area, owing to the manner in which hawking is carried out in the said area. In terms thereof, the Court had directed that there is a need for development and beautification of the said area. Accordingly, the Court had directed that the MCD ought to prepare a plan with the help of an architect for the beautification and development of the said area.

5. The allegation in the present contempt petition is that the authorised street vendors have been removed from the Anand Vihar Bus Terminal, and there is no compliance of the order dated 22nd January, 2026/27th January, 2026.

6. Further, it is also alleged that the temporary structures of authorised street vendors have also been removed. Hence, the prayer in the present contempt petition is to take action against the concerned officials of the Municipal Corporation of Delhi (*hereinafter*, ‘MCD’).



7. Furthermore, it is also the case of the contempt-Petitioners that the unauthorised street vendors are being permitted to occupy the streets of the Anand Vihar Bus Terminal.

8. The aforesaid situation was also noticed by this Court and has been captured in the order dated 16th April, 2026. On the said date, the Court had directed that a reply be filed to the present contempt petition. Further, GNCTD had placed on record a status report and a proper vending plan was also sought from the MCD. The relevant portion of the order dated 16th April, 2026 is set out below:

“[...]

6. Let reply to this contempt petition be filed within a period of one week.

*7. List on 5th May, 2026 in the **Supplementary List.***

W.P.(C) 5617/2016

8. Ld. Counsel for the MCD has assured that no unauthorised vendors shall be allowed to operate in the Anand Vihar Bus Stand area. Accordingly, let proper videos taken from time to time be placed on record along with photographs by the MCD by the next date of hearing.

9. The Petitioners are also free to place on record any material they wish to rely upon by the next date of hearing.

10. Today, a vending plan has been filed by the MCD, however, the same is not clear. Accordingly, let a proper vending plan be placed on record by the MCD by the next date of hearing...”

9. Today, a reply has been filed on behalf of Mr. Wairokpam Punshiba Singh, Deputy Commissioner, MCD.



10. In the reply, it is stated that there are a total of 126 street vendors, who have been issued the *provisional* Certificates of Vending (*hereinafter*, 'CoV') and it is proposed that they can be allotted slots for vending in the areas, which are available outside the Anand Vihar Bus Terminal.

11. Mr. R.K. Bansal, the Assistant Commissioner, MCD, who is present in Court today, submits that he has joined this position recently and that the street vendors are expected to be moveable vendors.

12. The Court has considered the proposal for allotment of time slots to the street vendors, and is of the view that allotment of one and a half hour time slots to each of the street vendors would be wholly impractical, inasmuch as it is likely to give rise to disputes *inter se* the vendors with regard to timings, and may further result in unavoidable commotion, particularly due to the frequent movement of the carts of the street vendors.

13. Further, there can be no doubt that the street vendors ought to be moveable vendors, however, if some area is demarcated for vendors to stand with their carts and vend, there would be less commotion, congestion and confusion.

14. Accordingly, the following directions are issued in the present contempt petition:

(i) ***Meeting to be held:*** A meeting shall be convened on **12th May, 2026 at 3:30 p.m.** in the office of the Mr. Wairokpm Punshiba Singh, Deputy Commissioner, MCD.

(ii) ***Attendees:*** The said meeting shall be attended by Mr. Wairokpm Punshiba Singh, the Deputy Commissioner, MCD; Mr. R.K. Bansal, Assistant Commissioner MCD, and three representatives



of the street vendors.

(iii) ***Manner in which vending is to be carried out:*** In the course of the meeting, the MCD officials shall interact with the representatives of the street vendors for the purpose of finalising the manner in which vending shall be carried out in the Anand Vihar Bus Terminal area.

(iv) ***Restricted to 126 street vendors/CoV holders:*** It is clarified that such permission shall be confined strictly to the *provisional* CoV holders, who are stated to be 126 in number.

(v) ***Unauthorised vendors are not permitted:*** No unauthorised vendor, *i.e.*, any person not holding a valid CoV, shall be permitted to carry on vending.

15. The present contempt petition is disposed of in these terms.

16. A status report shall be filed by the MCD and thereafter, directions shall be issued by this Court.

W.P.(C) 5617/2016

17. In so far as the beautification and re-development of the Anand Vihar, Bus Terminal area is concerned, the following two reports have been placed on record by Ms. Avni Singh:

(i) On behalf of Public Works Department (*hereinafter*, 'PWD');

(ii) On behalf of the Joint Secretary, Urban Development Department,

18. The status report on behalf of the Urban Development Department is set out below:



“Status report in the matter of WP(C) 5617 OF 2016 titled Mahila Hawkers Welfare Association Vs District Magistrate, Shahdara & ORS.

- 1. The Hon’ble High Court vide para 3 of order dated 30.03.2026 has mandated that considering the submissions made, Ms. Avni Singh, Id. Panel Counsel appearing for GNCTD shall also seek instructions in this matter as to who would bear the funds for the beautification of the said Anand Vihar Bus Terminal.*
- 2. The road under consideration comes under the jurisdiction of PWD as mentioned at para 5 in the status report dated 29.04.2026 filed by PWD in this matter. That PWD Delhi is responsible only for development, maintenance and beautifications of road, footpath, central verge and green area within its Right of Way (RoW) of Road No. 56 (Chaudhary Charan Singh Marg) passing from ISBT Anand Vihar.*
- 4. It is further submitted that being the respective jurisdictional area viz. shops, eating outlets, café area, resting areas and sufficient sanitation facilities can be developed within Bus Terminal (by Delhi Transport Corporation), Railway Station (by Indian Railways), DMRC Stations (by DMRC), Regional Rapid Transit System – RRTS Stations (by National Capital Region Transport Corporation – NCRTC) from their own funds.*
- 5. That Trunk Drain No. 2 maintained by Irrigation & Flood Control (I&FC) department is passing parallel to Road No. 56 (Chaudhary Charan Singh Marg) and therefore responsibility for cleaning & beautification of Trunk Drain No.2 shall rest on I & FC department.*
- 6. It is further submitted that the operational aspects such as sweeping, sanitation, regulation of vendors, and maintenance of public spaces in its area are within the exclusive jurisdiction of MCD and not within the direct executive domain of the answering respondent. However,*



the answering respondent shall abide by and comply with any directions passed by the Hon'ble Court in so far as the same are applicable to the respondents.

7. That, without prejudice to the above, it is submitted that in case any policy-level issue, inter-departmental coordination requirement, or administrative decision arises pursuant to the proceedings before this Hon'ble Court, the Department of Urban development, GNCTD, shall examine the same in accordance with law and extend all necessary assistance, subject to applicable rules and competence."

19. A perusal of the status report would reveal that the beautification, development, and maintenance of the entire Anand Vihar Bus Terminal area would require the involvement of the following agencies/authorities:

- I. Urban Development Department, Delhi Government;
- II. Municipal Corporation of Delhi;
- III. Bus Terminal run by the Delhi Transport Corporation;
- IV. Railway Station run by the Indian Railways;
- V. DMRC Metro Stations, managed by the DMRC;
- VI. Regional Rapid Transport system, (*hereinafter*, 'RRTS') managed by the National Capital Regional Transport Corporation (*hereinafter*, 'NCRTC');
- VII. Trunk Drain, managed by the Irrigation and Flood Control Department.

20. Since the re-development of the Anand Vihar, Bus Terminal area cannot be done by any particular agency on a stand alone basis, a special '**Task force**' is constituted under the Chairmanship of Mr. Rajesh Chaudhary, the Joint Secretary of Urban Development Department.

Members of the special Task force



21. The above mentioned authorities shall nominate one competent responsible official, who shall be a part of the special '**Task force**'.

22. Accordingly, the '**Special Task force**' shall consist of the following persons:

- a) **Chairperson:** Mr. Rajesh Chaudhary, Joint Secretary, Urban Development Department;
- b) Mr. Wairokpam Punshiba Singh, Deputy Commissioner, MCD and Mr. R.K. Bansal, Assistant Commissioner, MCD;
- c) One or two Nominated officials by the PWD;
- d) One or two Nominated officials by the Delhi Transport Department;
- e) One or two Nominated officials by the Indian Railways;
- f) One or two Nominated officials by Delhi Metro Rail Corporation;
- g) One or two Nominated officials by the Regional Rapid Transit System;
- h) One or two Nominated officials by the National Capital Region Transport Corporation;
- i) One or two Nominated officials by the Irrigation and Flood Control Department;
- j) SHO, P.S. Patparganj Industrial Area.

23. The special '**Task force**' shall have the first meeting on **20th May, 2026** in the office of Mr. Rajesh Chaudhary, Joint Secretary, Urban Development Department at a fixed time. Further, the Chairperson can also convene subsequent meetings.

24. If there is any difficulty that is being encountered by the Chairperson, the Urban Development Department shall also render assistance in the functioning of the special '**Task force**'.



Mandate of the special 'Task force'

25. The special '**Task force**' shall have the following mandate:
- I. **Purpose:** The special '**Task force**' shall work towards formulating a comprehensive plan for the beautification, development, and maintenance of the Anand Vihar Bus Terminal area.
 - II. **Holding meetings:** It shall convene meetings with all relevant agencies for the purpose of deliberating upon and formulating a comprehensive plan for the beautification, development, and maintenance of the Anand Vihar Bus Terminal area.
 - III. **Cooperation by concerned authorities :** All the concerned authorities are directed to extend full cooperation in carrying out the mandate of the special '**Task force**'.
 - IV. **Beautification Plan by the PWD:** For the beautification, development and maintenance of the Anand Vihar Bus Terminal area, the PWD shall avail the services of a qualified architect, who shall prepare a detailed plan, including a proper sketch as well as a 3D electronic representation depicting the proposed landscaping and beautification of the said area.
 - V. **Identify specific location for street vendors:** Specific locations for the authorised street vendors shall be identified and earmarked, ensuring that vending activities are carried out in a clean and hygienic manner.
26. The beautification plan prepared by the PWD and approved by the Task Force, shall be placed before the Court on 26th May, 2026.
27. The Chairperson and each of the officials of the special '**Task force**'



shall join the Court proceedings virtually, to assist the Court on the next date of hearing.

28. In the meantime, the SHO, P.S. Patparganj Industrial Area, shall continue to ensure that no unauthorised vending takes place in terms of the previous order dated 16th April, 2026.

CM APPL. 24733/2026, CM APPL. 24734/2026 to W.P.(C) 5617/2016

29. The present applications have been filed by the applicants- Mr. Swatantra Kumar Thakur and Mr. Zafar Khan, seeking impleadment as a party in the present petition.

30. Considering that there are a large number of street vendors, impleadment is not required.

31. The applicants *i.e*, Mr. Swatantra Kumar Thakur and Mr. Zafar Khan are, however, permitted to intervene in the proceedings and make their submissions.

32. It is made clear that no other street vendors would be allowed as an impleader or intervenor, as they are going to be represented before this Court, in a representative capacity.

33. The Counsels appearing for the intervenors/impleadment applicants are permitted to obtain copies of the electronic record from the Registry. It is further directed that pleadings shall be exchanged amongst all the Id. Counsels for the parties.

34. Mr. Subhro Prokas Mukherjee and Mr. Nishant Kumar, Id. Counsels shall assist the Court on behalf of the street vendors, and any vendors who wish to make any submissions shall contact the said Counsels.

35. Mr. Ritesh Kumar Bahri, Id. APP shall communicate the order to the concerned SHO, P.S. Patparganj Industrial Area.



2026:DHC:3874-DB



36. This order shall also be communicated to the Secretary and Joint Secretary of Urban Development Department to ensure that the competent officials of all the aforesaid authorities are nominated for the special '*Task force*'.

37. This matter shall be treated as a part-heard matter.

38. List for compliance on 26th May, 2026.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

MAY 5, 2026/prg/sm