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

+ **W.P.(C) 4373/2026 & CM APPL. 21261/2026**

SUMAN

.....Petitioner

Through: Mr. Binay Kumar Patra and Ms. Tuba
Kamil, Advs.

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.Respondents

Through: Mr. Sriharsha Peechara, SC for
NDMC with Mr. Chetanya Sharma,
ASC, Mr. Soumit Ganguli, Ms.
Ravicha Sharma, Ms. Shruti Agarwal
and Mr. Akash Sharma, Advs. for
NDMC.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **06.04.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Ms. Suman, under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondent to conduct the survey of the Petitioner and issue a Certificate of Vending (*hereinafter*, 'CoV') to the Petitioner.
3. The brief background of the present petition is that the Petitioner claims to be a street vendor, who has been vending at the street near Barakhamba Road, Kanchunjunga Building, New Delhi (*hereinafter*, 'vending site') for several years, since 2012. It is her case that she has been selling fruits and vegetables from the said vending site.
4. According to the Petitioner a survey was conducted by the New Delhi



Municipal Council (*hereinafter*, 'NDMC') last year. When her area was surveyed, since Petitioner's daughter was getting married, she was not found at the relevant vending site and therefore, she could not participate in the survey.

5. The Petitioner approached the Respondents with representations dated 14th August, 2024 and 10th August, 2025 requesting the Respondents to allow the Petitioner to be surveyed once again.

6. The photograph of the vending site of the Petitioner has also been placed on record. The same is extracted below:





7. It is the further case of the Petitioner that she had earlier filed a writ petition being ***W.P.(C) 7226/2014*** titled '***Jain Chand v. New Delhi Municipal Council and Anr.***' which was listed along with a batch of matters. The said petition was disposed of *vide* order dated 27th October, 2014, wherein the Id. Single Judge had directed as under:

“[...]

It is the common say of all the counsel for respondents that petitioners are not the existing squatters.

In rejoinder, learned counsel for petitioners vehemently deny the aforesaid statement.

Admittedly, the Act, 2014 has come into force. The Act, 2014 provides for constitution of a Committee which is to conduct survey of existing street vendors and make the scheme for relocation

In the opinion of this Court, Section 3(3) of the Act, 2014 clearly states that no street vendor shall be



evicted or relocated till the survey to be carried out by the Committee has been completed and certificate of vending has been issued to all street vendors.

Consequently, Government of NCT of Delhi is directed to make the Committee functional within a period of eight weeks. Petitioners are also permitted to simultaneously file their representations with the Committee within a period of eight weeks.

Upon the said representations being filed, the Committee is directed to decide the same as expeditiously as possible, preferably within six months.

With the aforesaid direction, present writ petitions and applications are disposed of.

Order dasti.”

8. On the other hand, Id. Standing Counsel for the Respondent/NDMC submits that the survey was conducted in the said area between January and July, 2025 and the survey has been completed. Further, it is also submitted that the vending plans have also been submitted to the Delhi Government, in terms of Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (*hereinafter, ‘the Act’*).
9. The Court has considered the matter. The first and foremost thing is that the photographs which have been placed on record do not have any date. A perusal of the said photographs indicates that the Petitioner appears to be carrying on vending activities either from a parking area or a public street, which may give rise to safety concerns in the manner in which such vending



is being undertaken.

10. Be that as it may, even presuming that the case of the Petitioner is that she has been vending since 2012, at the time when the survey was conducted in July, 2025, she was obviously not present. The entire survey has been completed by the NDMC and hence at this stage, the survey cannot be reopened.

11. Accordingly, it is directed that the Petitioner can participate in any future survey, if conducted by the NDMC, in terms of provisions of the Act.

12. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

APRIL 6, 2026/b/sm