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

+ **W.P.(C) 5183/2026**

RAKESH AND ORS.Petitioners

Through: Mr. Sanjay Baniwal, Adv.

versus

DELHI CANTONMENT BOARD AND ANR.Respondents

Through: Mr. Tarveen Singh Nanda, SC.

Mr. T.P. Singh, SPC for R2

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **17.04.2026**

1. This hearing has been done through hybrid mode.
2. This petition has been filed by four Petitioners- Rakesh, S/o Sh. Mahavir; Ramautar, S/o Gulfan Singh; Kuldeep Kumar, S/o Sh. Charanjeet; Mamtesh Yadav, S/o Sh. Bharat Yadav who all claim to be street vendors vending at the open space at Dhaula Kuan, Delhi Cantonment, New Delhi-110021, since several years (before 2023).
3. *Vide* this petition, the Petitioners are seeking issuance of directions to Respondent No. 1 to decide the Representation dated 10th April, 2026 made by the Petitioners.
4. It is the case of the Petitioners that their *challans* prior to 2023 have been submitted to the Delhi Cantonment Board *vide* a representation dated 10th April, 2026.
5. Mr. Nanda, Id. Counsel for the Delhi Cantonment Board submits that Petitioner no. 4 *i.e.* Mamtesh Yadav had filed a writ petition earlier as well,



which has not been disclosed in the present petition.

6. In any event, he submits that there is a meeting of Delhi Cantonment Board scheduled today as well in respect of similar vendors' representations.

7. Insofar as Mr. Mamtesh Yadav is concerned, he had filed a writ petition being **W.P.(C) 10031/2025**, titled **Mamtesh Yadav v. Delhi Cantonment Board and Ors.** which has not been disclosed in this petition. In the said petition on 19th January, 2026, the following order was passed:

1. This hearing has been done through hybrid mode.

2. The present writ petition has been filed by the Petitioner under Article 226 of the Constitution of India seeking directions to the Respondents to conduct a survey and to allow the Petitioner to peacefully vend at his vending site.

3. The case of the Petitioner is that he and certain other vendors have been vending at an open space near Pillar No. 27, Dhaula Kuan, for the last more than 15 years. In view thereof, the Petitioner prays that he be allowed to participate in the survey and be allowed to peacefully vend.

4. Mr. Nanda, Ld. Counsel on behalf of the Delhi Cantonment Board submits that the Petitioner had approached the concerned authority for the survey belatedly, in 2025, when the survey was already conducted in 2024. Thus, the Petitioner cannot be included in the survey.

5. Under these circumstances, the only order that the Court is inclined to pass is that whenever the next survey takes place, the Petitioner is permitted to participate in the same and his candidature shall be considered in accordance with law. Needless to add that this Court has not verified the genuinity of the Petitioner's claims which shall be verified at the appropriate stage, if required.



6. *The petition, along with the pending applications, if any, is disposed of.*

8. Accordingly, the present writ petition is disposed of with directions to the Delhi Cantonment Board to consider the representations of the Petitioners 1 to 3, and to take a decision in respect thereof.

9. The decision of the Board be conveyed to the Petitioner Nos. 1 to 3 within a period of three months.

10. Needless to add, the Court has not considered the genuinity or authenticity of the *challans* which have been placed on record.

11. Petitioner No.4- Mr. Mamtesh Yadav had a duty to disclose the earlier writ petition and order passed. Since he has not disclosed the said fact, Mr. Mamtesh Yadav is removed from the array of parties.

12. The present order shall be applicable only *qua* Petitioners 1 to 3.

13. Mr. Mamtesh Yadav shall deposit a sum of Rs. 10,000/- as costs for the non-disclosure. The costs shall be paid in the bank account of Delhi High Court Legal Services Committee on the said bank account:

Name : Delhi High Court Legal Services Committee

A/c No. : 15530110008386

Bank : UCO BANK

Branch : DELHI HIGH COURT

IFSC : UCBA0001553

14. The present petition is disposed of in said terms. Pending applications, if any, are also disposed of.



15. List for compliance on 15th July, 2026.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

APRIL 17, 2026/prg/ss