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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6927/2026 & CM APPL. 33926/2026, CM APPL. 33927/2026**
YAMUNA PAR HAWKERS ASSOCIATIONPetitioner

Through: Ms. Mrigna Shekhar, Ms. Manisha Mehta, Mr. Prateek Seth and Ms. Kriti Singh Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents
Through: Ms. Beenashaw N. Soni (standing counsel, MCD) with Ms. Mansi Jain, Advs.
Mr. Somraj Chaudhary, SPC with Ms. Shrutee Aradhana, Advs. for UOI.

CORAM:

JUSTICE PRATHIBA M. SINGH
JUSTICE MADHU JAIN

ORDER

% **19.05.2026**

1. This hearing has been done through hybrid mode.
2. The Petitioner-Yamuna Par Hawkers Association has filed the present petition under Article 226 of the Constitution of India, *inter alia*, challenging the order dated 26th September, 2024 (hereinafter, '*impugned order*') passed by the Respondent No. 1- Municipal Corporation of Delhi, Shahdara, South Zone (hereinafter, '*MCD*'). *Vide* the impugned order, the Pandav Nagar Wednesday weekly market has been shifted from Wednesday to Monday.
3. This is the third writ petition filed by the Petitioner. One of the earlier writ petitions being **W.P.(C) 5889/2024 titled 'Yamuna Par Hawkers Association v. Municipal Corporation of Delhi & Ors.'** was disposed of *vide* order dated 12th December, 2024 in the following terms.



“I. This writ petition has been preferred seeking the following reliefs: -

“I. Pass a writ of certiorari thereby quashing and setting aside the order dated 19.04.2024 issued by the Dy. Commissioner, Shahadara South Zone, Municipal Corporation of Delhi, to the extent that the decision whatsoever be taken with regard to the weekly market shall be taken by the Town Vending Committee and not solely by the Dy. Commissioner, Shahadara South Zone, MCD, as has been purportedly did played vide the impugned letter.

II. Pass an order directing the respondent MCD to place its decision for approval before the Town Vending Committee.

III. Pass an order thereby directing the MCD prepare a vending plan for the Wednesday weekly market in terms of section 21 of the Street Vendors Act, 2014.

IV. Pass a writ of mandamus thereby directing the respondents that any decision which is to be taken with regard to the Wednesday weekly market, conducted in Pandav Nagar, Known as (Buddh Bazar Pandav Nagar) shall be taken in consultation with the petitioner organization so also in conformity with the provisions of the Street Vendors (Protection Of Livelihood And Regulation Of Street Vending) Act, 2014.

V. Pass an order thereby declaring that the Wednesday weekly market, conducted in Pandav Nagar, Known as (Buddh Bazar Pandav Nagar) which is being organised for past more than 50 years be declared as a heritage market in terms of the second schedule of the Street Vendors (Protection Of Livelihood And Regulation Of Street Vending) Act, 2014.

VI. Pass any such directions or order that this Hon'ble Court deems fit and proper in the facts



and circumstances of the above-mentioned case."

2. Pursuant to notice having been issued, the Municipal Corporation of Delhi ['MCD'] has filed a Status Report and which has been placed on our record. We have also heard learned counsel appearing for the Residents Welfare Association ['RWA'].

3. The decision to shift the weekly market which was being held by members of the petitioner-association to Monday, appears to have been triggered by an order of 20 February 2024 passed on a writ petition preferred by the Pandav Nagar RWA, which had approached this Court for appropriate directions being framed for the weekly market being shifted from Wednesday to every Monday. Since it was alleged that our order of 20 February 2024 had not been complied with, contempt proceedings came to be instituted thereafter.

4. From the disclosures which are made in the Status Report filed by the MCD, we are informed that a joint meeting of all stakeholders was thereafter convened on 19 April 2024 and which was attended by the members of the Town Vending Committee ['TVC'], RWA as well as the head of the petitioner-association. It was after the said meeting that a decision was taken to shift the market from Wednesday to Monday.

5. We were informed of the serious inconveniences which were being caused to the local residents on account of the holding of the weekly market on Wednesday when the local markets were also functioning. The Court is apprised of the fact that on Mondays, the local market of the locality in question is closed and it was on the aforesaid reasoning that the weekly market conducted by members of the petitioner-association was shifted. It is thus manifest that the interests of all parties has been adequately balanced and attended to.

6. Bearing in mind the aforesaid, we find no justification to interfere with the ultimate decision taken by the MCD.



7. The writ petition fails and shall stand dismissed”

4. On the very same day i.e., 12th December, 2024, another writ petition filed by the Petitioner being **W.P.(C) 14302/2024 titled ‘Yamuna Par Hawkers Association v. Municipal Corporation of Delhi & Ors.’** was also dismissed in the following terms:

“Bearing in mind the nature of the relief which is claimed in the writ petition and which would be liable to be answered against the writ petitioners in light of the orders rendered by us in Yamuna Par Hawkers Association vs. Municipal Corporation of Delhi and Ors. [W.P.(C) 5889/2024], we dismiss this writ petition. The larger issues which are sought to be canvassed herein are kept open to be addressed at an appropriate stage in independent proceedings, if so chosen and advised.”

From the above two orders it is clear that the shifting of the market from Wednesday to Monday was on the basis of the rationale that on Mondays the local market is closed and hence the same would also address the inconvenience which was being caused to the local residents due to the holding of the market on Wednesdays, when the local market was also open.

5. Ld. Counsel for the Petitioner submits that a recent representation has been given by the Ganesh Nagar Pandav Nagar Complex Master RWA to the effect that the Wednesday market ought to be restarted.

6. A perusal of the record would show that an earlier order was passed by the MCD on 19th April, 2024 wherein notice was issued to the RWA and to the Petitioner for attending an interaction and stakeholder consultation pursuant to the orders passed in **W.P.(C) 2396/2024 titled ‘Pandav Nagar Residents Welfare Association Regd v. Municipal Corporation of Delhi &**



Anr.’ The relevant portion of the order dated 20th February, 2024 passed in **W.P.(C) 2396/2024** reads as under:

“4. Learned counsel for the petitioner states that the petitioner-association has sent several representations dated 26th July, 2022, 29th May, 2023, 01st June, 2023, 13th June, 2023 and 15th January, 2024 informing the respondent no.2 about the hardships being faced by the residents due to the said weekly bazaar. She states that, however, no response has been received. She contends that though only hundred vendors have been granted permission to participate in the Wednesday market in Pandav Nagar and that too in the area of 4’x6’, yet at least 500 vendors come and sell their goods in said market and they occupy at least 10’x10’ choking the entire area

5. Learned counsel for the respondents, who appears on advance notice, states that the proposal to shift the weekly market from Wednesday to Monday is under consideration of senior officials of MCD.

6. Keeping in view the aforesaid, this Court disposes of the writ petition by directing the Commissioner, MCD to treat the present writ petition as a representation and decide the same by way of a reasoned order in accordance with law within four weeks”

7. Thereafter, the impugned order dated 26th September, 2024 came to be passed which was considered by the Court in the **W.P.(C) 5889/2024** and **W.P.(C) 14302/2024**.

8. As can be seen from the orders dated 12th December, 2024 passed in **W.P.(C) 5889/2024** and **W.P.(C) 14302/2024**, the Court has already considered the shifting of the Wednesday weekly market to be held Mondays and has recorded that the residents were also satisfied with the said solution which was arrived at by the MCD.



9. However, the submission today is that the residents are unhappy and that they want the Wednesday weekly market to restart. To this effect a representation is stated to have been made by the Ganesh Nagar Pandav Nagar Complex Master RWA on 20th March, 2026. In addition, the Petitioner has also made a representation on 20th March, 2026.

10. Considering the fact that the Petitioner itself was a party in the earlier writ petitions which were subject matter of the orders dated 12th December, 2024, a third writ petition on the same aspect cannot be entertained. However, if the Ganesh Nagar Pandav Nagar Complex Master RWA has made any representation to the MCD which is at Pages 36 of the present writ petition respectively, the MCD is free to consider the same, if deemed appropriate, in accordance with law.

11. Any decision shall be taken only after hearing all the stakeholders concerned including the parties in the earlier writ petitions as also the Petitioner in the present case.

12. The petition along with pending applications is disposed of in above terms.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MAY 19, 2026/prg/ck