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

+ **W.P.(C) 6942/2026 & CM APPL. 34132/2026, CM APPL. 34133/2026**

SITA DEVI

.....Petitioner

Through: Mr. Bharat Aggarwal, Mr. Kanhaiya
and Mr. Namarata Sharma, Advs.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents

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

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

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19.05.2026

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Sita Devi under Article 226 of the Constitution of India, *inter alia*, seeking substitution of the name of the Petitioner with her deceased husband. The Petitioner claims that her husband Sh. Vishnu Dayal Agarwal, was a vendor who was issued a provisional Certificate of Vending (hereinafter, 'CoV') bearing vendor ID V2025601806.
3. The case of the Petitioner is that when her husband passed away on 22nd January, 2026, she made a representation for substitution of her name in the provisional CoV, in terms of Section 5(2) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.



4. Ld. Counsel for the Petitioner submits that the Petitioner is running a crockery shop in the Sarojini Nagar Market and has also annexed photographs. The said photograph is extracted below:



5. Ld. Counsel for the New Delhi Municipal Council (hereinafter, 'NDMC') submits that in terms of Section 5(2) of the Street Vendors



(Protection of Livelihood and Regulation of Street Vending) Act, 2014, the Petitioner can be permitted to vend and no substitution is required. Further, it is pointed out that the details of other legal heirs have also not been placed on record.

6. It has also come to the notice of the Court during the proceedings that the Petitioner's Counsel is himself the family member and son of the Petitioner. This fact also ought to have been disclosed at the time while submissions were being made.

7. Be that as it may, the Petitioner being the wife of the deceased is permitted to vend without any disturbance so long as she ensures that the terms and conditions of the provisional COV are fully complied with including the size of the vend.

8. The Petitioner shall maintain cleanliness in and around the vending site and shall not set up any permanent or temporary structure.

9. The above stated directions shall be subject to any plan which the Town Vending Committee-II may be coming up with in terms of Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and no vested rights shall be claimed.

10. This petition along with pending applications is disposed of.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MAY 19, 2026/prg/ck