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

Date of decision: 28th October, 2026.
Uploaded on: 31st October, 2026.

\# **CNR No. DLHC010515622026**

\+ **W.P.(C) 15824/2026 & CM APPL. 74017/2026 (exemption)**

NAND LAL BAMBANI .....Petitioner

Through: Mr. Pratyush Sharma & Ms. Soumya Kandwal, Advs. (M: 9711744465)

versus

MUNICIPAL CORPORATION OF DELHI .....Respondent

Through: Ms. Puja S Kalra, Standing Counsel with Mr. Virendra Singh, Adv. for MCD. (M: 9312839323)

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 74017/2026 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(C) 15824/2026

3. The present Petition has been filed by the Petitioner – Mr. Nand Lal Bambani S/o Late Shri Lakhmi Chandra under Article 226 of the Constitution of India seeking directions to the Municipal Corporation of Delhi *(hereinafter, 'the MCD')* to complete the process of re-location of *tehbazari* site bearing No. 3516, measuring 7 x 5 feet, Stall No.33 at Bapu Market,

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Gandhi Mela Ground, H.C. Sen Road, Delhi-110006.

4. The Petitioner also seeks directions to the MCD to issue the requisite relocation/possession letter and hand over possession of the said site to the Petitioner.

5. The Petitioner had obtained a *tehbazari* site at Gandhi Maidan, City S.P. Zone (Ward No. 74) from one Mr. Prabhu Dayal.

6. The Petitioner was informed that the MCD had approved redevelopment and reconstruction of a multi-level parking in the said area *vide* letter dated 18th April, 2022. Accordingly, the Petitioner was allotted an alternate site at Bapu Market, Chandni Chowk and, thereafter, at Mata Sundari Road.

7. Similar process of relocation of various vendors at Gandhi Maidan, was considered in various writ petitions including in ***W.P.(C) 9225/2023*** titled ***Ramesh Gupta v. Municipal Corporation of Delhi & Anr.***, where the same has been approved by the Division Bench of this Court *vide* order dated 15th February, 2024 and thereafter upheld by the Supreme Court *vide* order dated 12th July, 2024 in ***SLP (C) Diary No.23650/2024.***

8. The case of the Petitioner is that he had filed a writ petition being ***W.P.(C) 10419/2025*** titled ***Nand Lal v. Municipal Corporation of Delhi***, wherein *vide* order dated 22nd July, 2025, the following directions were issued.

> *"**W.P.(C) 10419/2025***
> *3. Heard.*
> *4. A prayer for relocation was moved by petitioner, which the respondent/Corporation looked into, and accordingly, vide communication dated 29.03.2022, petitioner was called upon to deposit the amount towards mutation/ change of hand fees in respect of Tehbazari site.*

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5. It is the case of petitioner that respondent, instead of honouring the commitment as per the communication dated 29.03.2022, is intent on rejecting the claim of petitioner on the preliminary ground of mismatch/failure to record identification.

6. In response to the Court query, the learned counsel appearing for the respondent/Municipal Corporation of Delhi ('MCD') assures that pursuant to the communication dated 29.03.2022, in case if the petitioner appears before the Administrative Officer, City SP Zone, North MCD within one week from today along with the original documents to support the claim and establish his identity; the same shall be looked into and appropriate reason/communication shall be issued to petitioner within two weeks, thereafter.

7. Aforesaid statement by learned counsel appearing on behalf of respondent is taken on record and accordingly, we deem it appropriate to dispose of the petition by accepting the aforesaid statement.

8. Needless to clarify that, in case the order is adverse to the interest of petitioner, it shall be open for him to approach afresh.

9. The petition, accordingly, stands disposed of."

9. The grievance of the Petitioner at that stage was that the deposit of the amount towards mutation/change of hand fees, in respect of the *tehbazari* site, was not being permitted to be deposited. The apprehension of the Petitioner was that on some ground or other the commitment in terms of letter dated 29th March 2022. As can be seen from the above order, the Petitioner was to appear before the Administrative Officer City SP Zone, North MCD along with the original documents to support his claim/identity. The MCD was to then look into the same and issue a communication.

10. Thereafter however, there appears to be some discrepancies in respect of his father's name, which caused considerable delay in implementing the

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order dated 22nd July, 2025.

11. *Vide* the letter of the Administrative Officer on 16th February, 2026, the demand of Rs.1,21,000/- for mutation was raised by the MCD, which is stated to be duly deposited by the Petitioner. Even the discrepancy in respect of his father's name also presently stands cleared.

12. Under these circumstances, prayer of the ld. Counsel for the Petitioner is that the process for relocation of alternate site in favour of the Petitioner be completed.

13. Ms. Kalra, ld. Counsel appearing for the MCD submits that there is no impediment in issuing the relocation documents and effecting the same, in favour of the Petitioner, however, the same would be subject to recommendations of the TVC-II.

14. The Court has considered the matter. Having seen the directions in order dated 22nd July, 2025, extracted above, it becomes clear that after verifying the original documents and the deposit of requisite fees, the relocation letter ought to be issued by the MCD. However, since there were some discrepancies, the same could not be done.

15. Under these circumstances, let the relocation letter be now issued to the Petitioner within one month from this order. The possession of the new site shall also be handed over to the Petitioner within the said period.

16. It is, however, clarified that the handing over of the site would be subject to final vending site plan and any other recommendations by the TVC-II.

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17. The present petition is disposed of in the above terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

OCTOBER 28, 2026/*dk/as*

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