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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2209/2026**

KUMAR PAL

.....Petitioner

Through: Mr. Manish Tiwari, with Mr. Shashi
Bhushan Nagar, Advs.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sriharsha Peechara, SC (NDMC)
with Mr. Aditya Bharat Manubarwala,
ASC with Mr. Soumit Ganguly, Ms.
Ravicha Sharma, Ms. Shruti Agarwal,
Mr. Akash Sharma and Ms. Charvi
Virmani, Advs. for NDMC.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **17.02.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 10730/2026 (for exemption)

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

W.P.(C) 2209/2026

3. The present petition has been filed by the Petitioner under Articles 226 and 227 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to induct the name of the Petitioner in the *Tehbazari* license which is in name of his father.

4. A brief background of the Petitioner's case is that, late Sh. Sawarey Lal, who is the father of the Petitioner, was a *Tehbazaari* license holder for the site 119-T-01, situated at Gate No. 3 and 4 of Palika Market (*hereinafter*, '*designated site*')'



5. According to the Petitioner, his father had been squatting from the designated site since 1980. Thereafter, the Petitioner's father passed away on 28th November, 2015.

6. Pursuant thereto, the Petitioner made various representations to the Director, Enforcement Department, NDMC for changing the name in the *Tehbazaari* license. However, the same was not considered.

7. Consequently, the Petitioner filed a writ petition being **W.P.(C) 13254/2019** titled '**Sh. Kumar Pal v. New Delhi Municipal Council & Anr.**' wherein *vide* order dated 10th March, 2023, the Court had directed as under:

“Learned counsel appearing on behalf of the petitioner, limits the relief, in the present writ petition, to a direction to the Town Vending Committee (TVC), to consider the representation of the petitioner (which is annexed at 'Annexure P-9 colly'), at the time the latter carry out the subject survey, in accordance with the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 as well as the Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2017 and the Government of National Capital Territory of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019.

Mr. Sri Harsha Peechara, learned Additional Standing Counsel appearing on behalf of NDMC states, that they shall render assistance, as may be required.

Directed Accordingly.

No further relief is prayed for.

With the above directions, the writ petition is disposed of accordingly. Pending application also stands disposed of. ”



8. In terms of the above order, the Petitioner had sought limited relief for consideration of the representation of the Petitioner, which was acceded to by NDMC, at that stage.

9. Thus, the case of the Petitioner is that several representations have been made for changing the name in the *Tehbazaari* license. However, the same have not been considered by the Town Vending Committee, NDMC (*'hereinafter, 'TVC'*).

10. Mr. Manish Tiwari, Id. Counsel for the Petitioner, submits that the license fee for the designated site has already been paid by the Petitioner.

11. Mr. Sriharsha Peechara, Id. Standing Counsel for NDMC submits that the TVC-I, which had to consider the representations, did not consider the same on the ground that the TVC does not have the mandate as per the first proviso to Rule 13 (1) of Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2017. He further submits that the representations would now have to be considered upon the constitution of the TVC-II, which is presently awaited.

12. The Court has heard Id. Counsels for the parties and perused the records. The Petitioner has made several representations for substitution of his name. However, the same have not been considered.

13. Additionally, *vide* order dated 10th March, 2023, the Court has directed the NDMC to consider the representation.

14. Further, in terms of Section 5 (2) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the spouse of a street vendor or a dependent child of a street vendor would be entitled to substitute the name of the original *Tehbazari* holder.

15. In any event, the Petitioner claims to be the son of the *Tehbazari* holder,



which is also not seriously disputed by the NDMC.

16. Under such circumstances, let the *provisional* Certificate of vending (*hereinafter*, 'CoV') be issued to the Petitioner in his name. However, the same would be provisional in nature and the TVC-II shall take the final decision in this regard.

17. The issuance of provisional CoV shall not in any manner constitute a right to the Petitioner to squat in the Palika Bazar area, which has now been declared as a 'No vending zone', barring some *Tehbazari* holders who have been approved.

18. The issuance of the *provisional* CoV shall entitle the Petitioner to be treated on par with all other vendors in the Palika Bazar area by the NDMC, whenever the decision is taken by the TVC-II.

19. Under these circumstances, the present order is only related to the substitution of the name of the Petitioner in the *Tehbazaari* license and shall not constitute a right to the Petitioner to vend in the Palika Bazar area.

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

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

FEBRUARY 17, 2026

Prg/sm