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

+ **W.P.(C) 5617/2016**

MAHILA HAWKER WELFARE ASSOCIATIONPetitioner

Through: Mr. Subhro Prokas Mukherjee, Adv.
(DHCLSC), Md. Shah Minhajuddin
and Md. Adil Khan, Advs. for
Applicant.
Mr. Kamlesh Kumar Mishra, Ms.
Renu and Ms. Anisha Raghav, Advs.

versus

DISTRICT MAGISTRATE, SHAHDRA & ORSRespondents

Through: Mr Rajan Tyagi, SC with Ms. Vijeta
Mukherjee, Adv. for MCD.
Ms. Avni Singh, Panel Counsel for
GNCTD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **09.03.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 14097/2026 & CM APPL. 14132/2026 (for modification of the judgment)

2. The present two applications have been filed under Section 151 of the Code of Civil Procedure, 1908 seeking modification of the judgment dated 22nd January, 2026.

3. The case of the Applicants is that they are Certificate of vending (*hereinafter*, 'CoV') holders and they ought to be permitted to vend till the plans of beautification of the area is finalised in the ISBT Anand Vihar Bus



Terminal area by the Municipal Corporation of Delhi (*hereinafter*, ‘MCD’).

4. The present petition had been disposed of *vide* detailed order dated 22nd January, 2026, wherein the Court has clearly directed that all vendors shall be removed by the MCD from the ISBT Anand Vihar Bus Terminal area. The relevant portion of the judgement dated 22nd January, 2026 reads as under:

“[...]

29. *Thus, the entire area deserves to be properly re-planned, laid out, landscaped and tiled. As part of this process, some shops, cafes, resting areas, sanitation facilities, etc., ought to be created for the passengers in a manner so as to not impede their free movement.*

30. *Under these circumstances, the present position cannot continue. The hawkers deserve to be removed and only the 105 hawkers, as recognized during the survey, should be permitted to use mobile vends for selling their wares in an allocated manner. No permanent structure can be allowed to be created by the 105 recognized vendors as well.*

31. *The MCD shall, accordingly, take steps, along with the SHO or the DCP of the concerned area, to remove all the vendors. However, adequate time shall be given of at least five to six days for the vendors to remove their wares. Hence, the MCD is granted time till 30th January, 2026 to take appropriate steps to inform the vendors of the directions of this Court. Thereafter, from the weekend commencing on 31st January, the removal of the vends shall commence.*

32. *No person shall obstruct or create any impediment in the removal of these vends. After the said removal, the*



recognised vendors shall be permitted to approach the Assistant Commissioner, MCD, who shall then guide the 105 recognised vendors as to the manner in which they can put up their carts and vends in the area, in compliance with the conditions enumerated in the provisional COVs issued to them.

33. The MCD shall also prepare, with the help of an architect, a proper plan for beautification of the area and for allocation of proper spaces for eating outlets, sanitation facilities and for some shops, as directed above. The said plan shall also be placed on record before the Court by 10th March, 2026.

34. The MCD is free to take the assistance of any Architect in PWD in this regard including Ms. Sabita Sahoo, Architect, PWD (+91 7205532243), in the entire process of preparing the architectural plan, as stated above. Further, the PWD shall also assist the MCD in creating a plan for beautification of this area so that the work can commence on an early date, upon the plan being placed before this Court.

35. By 10th March, 2026, the MCD shall place on record the said plan, both in electronic form and in a hard copy.

36. With the present order being passed, all previously granted interim orders stand modified in terms thereof. Insofar as the applications filed by other hawkers and vendors for directions are concerned, except for the 105 hawkers recognized during the survey, in terms of the list handed over today, no other vendor shall be permitted to vend in this area.



37. All encroachments and any other shops, carts, vends, etc., are also permitted to be removed. *The list of the 105 vendors recognized by the TVC during its survey has been handed over to the Court today and is taken on record. The said list is attached with the present order and is marked as ‘Annexure A-1’.*

38. Additionally, it is directed that if there are any other vendors who participated in the survey conducted by TVC and were found eligible in terms of the said survey shall be permitted to vend their wares, only if the provisional COVs have been issued to them by the TVC...”

5. It is made clear that in terms of the judgment dated 22nd January, 2026, no vendors ought to be permitted to vend, until the beautification plan is properly finalised and the areas are demarcated by the MCD.
6. Under such circumstances, there is no ground to modify the judgment dated 22nd January, 2026 in respect of the Applicants alone.
7. At this stage, the Id. Counsel for the Applicants has informed the Court that CoV holders are being put to a disadvantage, as the MCD has informally allowed unauthorised vendors to vend at the main road of the ISBT Anand Vihar Bus Terminal area.
8. It is made clear that if this Court finds that any unauthorized vending in the ISBT Anand Vihar Bus Terminal area is being permitted or overlooked by the MCD, the concerned Assistant Commissioner and the concerned Station House Officer, ISBT Anand Vihar Bus Terminal area would be liable for contempt action in accordance with law.
9. The applications are disposed of in the above terms.



10. List for compliance on 30th March, 2026, *i.e.*, the date already fixed.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MARCH 9, 2026
b/sm