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

Date of Decision: 18th November, 2026
Uploaded On: 19th November, 2026

\# **CNR No. DLHC010546672026**

\+ **W.P.(C) 16825/2026 & CM APPL. 78679/2026**

GAURAV .....Petitioner

Through: Mr. Lakshay Sawhney Advocate with Petitioner in person.

versus

NEW DELHI MUNICIPAL COUNCIL & ANR. .....Respondents

Through: Mr. Sriharsha Peechara, Standing Counsel with Mr. Aditya Bharat, ASC, Mr. Soumit Ganguly and Ms. Tanisha, Advocates for NDMC.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

Prathiba M. Singh, J. (ORAL)

1. This hearing has been done through hybrid mode.

2. The present Petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to allow the Petitioner to peacefully vend as he is a *tehbazari holder* who is vending in Janpath.

3. The *tehbazari* was allotted to his father, Shri Om Prakash, who passed away on 23rd January 2011. The Petitioner's father was verified by the Thareja Committee *vide* Possession Slip No. D/1911/SO (ENF) and subsequently by

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the Chaturvedi Committee *vide* Possession Slip No. D/281/SO (ENF) as *tehbazari* holder at IOB M44, Janpath, New Delhi having a vend measuring 3ft. x 4ft. in size.

4. Thereafter, his mother had filed an application for transfer of the legal heirs and *vide* order dated 22nd April 2014 of the New Delhi Municipal Corporation (hereinafter '*NDMC*'), the allotment of the site had been transferred in favour of the Petitioner.

5. The Petitioner claims to have been paying *tehbazari* fee payment over the last several years. The last payment was, in fact, even in October 2026 and the payment receipt dated 13th October, 2026 has been placed on record.

6. The grievance of the Petitioner is that he was informed by an NDMC official in the last week of October that action would be taken against him if he continues to vend.

7. Yesterday *i.e.*, on 17th November, 2026 when the matter was taken up, ld. Counsel for the Petitioner had produced a copy of the receipt showing that the Petitioner had participated in the survey which recently took place. The said survey slip has been handed over to the ld. Counsel for the NDMC who was to seek instructions for today.

8. Ld. Counsel for the NDMC has appeared and she submits on instructions, that the Petitioner has duly participated in the survey and his name has been included in the survey list as well.

9. Ld. Counsel for the NDMC further submits that the area inspector has inspected the vend yesterday at around 6.34pm and he has not been disturbed in any manner. The image of his vend handed over by the ld. Counsel for the NDMC is set out below:

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10. In view thereof, it is directed that the Petitioner's name shall continue to be included in the survey list, though provisional COV has not been issued.

11. His peaceful vending shall not be disturbed so long as he abides by the standard terms and conditions of the COV issued by NDMC.

12. Petition is disposed of. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

NOVEMBER 18, 2026/MR/as

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