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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 21st September, 2026Uploaded on: 24th September, 2026

CNR No. DLHC010288132026

+ W.P.(C) 9010/2026 & CM APPL. 42183/2026

SONIA

.....Petitioner

Through: Mr. N.K. Sahoo, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL

.....Respondent

Through: Mr. Sriharsha Peechara Standing
Counsel for NDMC Mr Soumit
Ganguli, Ms Ravicha Sharma, Mr
Akash Sharma, Advocates for NDMC.
Mr. Narendra Kumar Srivastava, SPC
with Mr. Amit Acharya, GP for R-3.

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, *inter alia*, seeking issuance of an appropriate writ directing the Respondent to substitute the name of the Petitioner as a legal heir of her deceased father in respect of *Tehbazari* site no. N-132, Gurudwara, Bangla Sahib, New Delhi.
3. It is the case of the Petitioner that she is the daughter of Late Shri Jagat Singh, who was the original *Tehbazari* site holder. Shri Jagat Singh had passed away in 1999. The Petitioner is stated to have been running the said *Tehbazari* site since her father's death and thus, prays that her name should be substituted.
4. In support of her case that she is the daughter of the original *Tehbazari*



holder, certain *Tehbazari* receipts have been placed on record. The Petitioner has also filed a representation dated 23rd September, 2022 seeking transfer of the *Tehbazari* site in her name.

5. The photographs of the *Tehbazari* site is set out below:





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6. The submission of Mr. Sahoo, Id. Counsel for the Petitioner is that the *Tehbazari* deserves to be transferred in the Petitioner's name and the provisional Certificate of Vending is also liable to be issued.

7. On behalf of the NDMC, a status report has been filed to the effect that originally the *Tehbazari* was allotted to Shri Jagat Singh and the same was measuring only 4x3 feet. It is further stated that the representation which has been filed by the Petitioner which is still pending. It is stated that the survey



was completed on 31st July, 2025 and the Petitioner had participated in the said survey with survey ID No. V2025200811.

8. In respect of the provisional CoV the Petitioner was found to be ineligible on the ground of the Petitioner's documentation is found to be insufficient.

9. However, the Petitioner's case is that there is a substantial disturbance being caused and she is not being allowed to peacefully vend at the *Tehbazari* site.

10. Heard. The Petitioner is the daughter of late sh. Jagat Singh who passed away on 8th October, 1999. Relevant paragraphs of the NDMC's status report, are set out below:

"3. That Site No. N-132, Gurudwara Bangla Sahib was an old Tehbazari site allotted by the Answering Respondent in the name of Late Shri Jagat Singh S/o Shri Hari Singh. As per the records of the Answering Respondent, the said Tehbazari measured 4 feet × 3 feet. The existence of the aforesaid Tehbazari is also borne out from the communication dated 29.03.1989 issued by the then New Delhi Municipal Committee, wherein it was recorded that Shri Jagat Singh had already been granted Tehbazari.

*4. **That Late Shri Jagat Singh expired on 08.10.1999.** The Petitioner herself has placed on record the death certificate of Late Shri Jagat Singh, which records the date of his death as 08.10.1999. It is the case of the Petitioner that she is his sole surviving legal heir and that she has thereafter continued to carry on vending activity from the aforesaid site.*

5. That the Petitioner submitted a representation dated 23.09.2022, seeking substitution/transfer of the aforesaid Tehbazari in her favour on the basis of her claimed status as the legal heir of Late Shri Jagat Singh. A copy of the said representation has been placed on



record by the Petitioner herself as Annexure P-4 to the writ petition.

6. It is respectfully submitted that the aforesaid representation has not been rejected by the Answering Respondent. At the relevant time, the initial Town Vending Committee ("TVC") was functioning for the purposes of carrying out the survey and issuance of provisional Certificates of Vending ("COV"). Matters relating to transfer/substitution on the basis of legal heirship were to be considered by the Competent TVC in accordance with the applicable Act, Rules and Scheme upon completion of the survey process. Accordingly, the Petitioner's representation was kept in abeyance.

7. That the survey process has since been completed on 31.07.2025. The present TVC is functioning in an interim capacity for the limited purpose of finalisation of the Town Vending Plan submitted to the GCTD. The Petitioner's request for substitution on the basis of her claimed legal heirship is accordingly to be considered by the Competent TVC in accordance with the applicable statutory and regulatory framework upon constitution of the said Committee. The pendency of the Petitioner's representation, therefore, cannot be construed as a concluded order substituting her name in the Tehbazari records or as conferring upon her an independent and unconditional right to vend.

8. That, in the meantime, the Petitioner participated in the survey conducted by the TVC on 11.02.2025, under Survey ID V2025200811. The survey was conducted at the site in question and the Petitioner was duly included in the survey process.

9. Upon scrutiny of the documents furnished by the Petitioner in support of her claim, she was found ineligible on account of insufficient documentation. The Petitioner was thereafter afforded an opportunity to rectify the deficiencies in the documents furnished by her. Despite the opportunity so afforded, the Petitioner



failed to rectify the deficiencies and was consequently found ineligible once again. Her case was accordingly not considered for issuance of a provisional COV. This position is borne out from the records and instructions furnished by the concerned department.”

11. After having considered the submissions made by the parties, the status report of the NDMC and the status of the Petitioner, the Court is of the opinion that there are certain issues in respect the Petitioner’s vend which would have to be addressed:

- (i) First, the Petitioner would have to adhere to the size of 6x4 feet which is the standard size of a vend for which vending licence is given by the NDMC.
- (ii) Secondly, the documentation which is deficient would have to be completed.
- (iii) If there are any other legal heirs, no objection from them in the form of an affidavit may be required to be furnished.

12. The Petitioner having participated in the survey, the remaining issues in respect of the representation for transfer of the *Tehbazari* as also for issuance of provisional CoV, shall now be considered by TVC-II upon being constituted.

13. In the meantime, the Petitioner shall be allowed to vend subject to the subject to the terms and conditions of the standard CoV holders which are as under:

- “1. Vendor shall not have any other permanent or long-term vending certificate.*
- 2. Vending certificate is non-transferable.*
- 3. It is mandatory for the vendor to follow the vending period and zone as determined by TVC or local body.*



4. Vendor shall not give his vending certificate on rent in any way.

5. Vendor shall not have any infectious disease.

6. Vendor shall have to take care of hygiene on vending place/zone and nearby area and also take care of public health.

7. Vendor shall display copy of vending certificate on his place/vending site and will produce original documents to TVC/concerned inspector whenever required.

8. Vendor/Squatter shall insure that no hindrance be caused to pedestrian and vehicular moment.

9. Vendor shall not vend/sell any harmful, dangerous and polluted items. It should also be ensured that the quality of the products sold and services provided to the public conform to the prescribed standards of public health, hygienic conditions and safety.

10. The street vendor shall not do any unauthorized/illegal activity.

11. Mobile vendors shall not stay or vend more than 30 minutes or time prescribed by the TVC at place in a vending/squatting zone.

12. Vendors will not block footpaths and will not vend on roads. Vendor should take care of space in front of vending stalls/counters on footpath for pedestrians.

13. Vending certificate can be cancelled or suspended on the basis of violations.

14. Vendor shall not build or construct any kind of permanent or temporary structure at vending site.

15. Seller shall adopt health and hygiene conditions as required by local laws and court orders.

16. Vendor have to follow all the conditions mentioned in Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019”



14. In addition to the above, the Petitioner shall ensure that the vend is not larger than 6x4 feet. The Petitioner shall also complete the documentation including No-objections from other LRs if any and submit the same to the NDMC within one month.

15. After TVC-II is constituted, a decision shall be taken *qua* the Petitioner within a period of three months.

16. 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.

17. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

SEPTEMBER 21, 2026

Rahul/msh