$~68

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

Date of decision: 2nd November, 2026

Uploaded on: 4th November, 2026

\# **CNR No. DLHC010189422026**

\+ **W.P.(C) 5892/2026, CM APPL. 70058/2026 & CM APPL. 70059/2026**

VED PRAKASH .....Petitioner

Through: Mr. Rajiv Dewan, Adv.

versus

GOVERNMENT OF NCT OF DELHI & ORS. .....Respondents

Through: Mr. Rajat Wadhwa, Ms. Anshika Juneja, Mr. Rajat Shukla, Mr. Abeer Shandilya, Advs. for Street Vendors.
Mr. Atul Krishna, SPC for Delhi Police.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

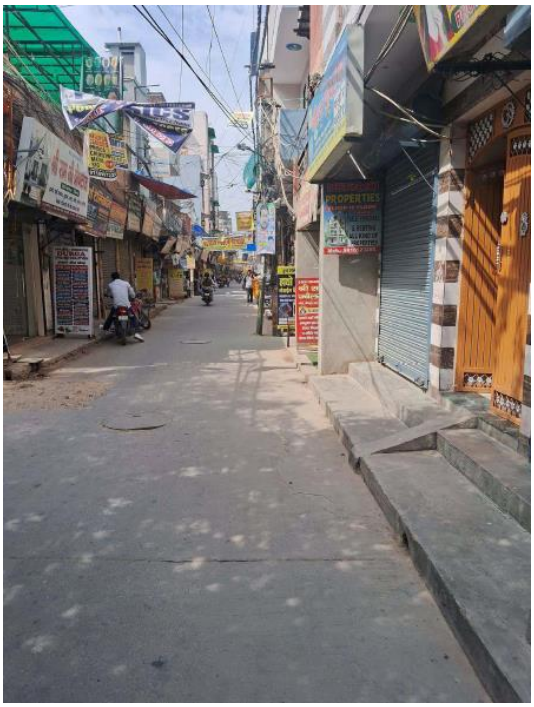
2. The Petitioner- Ved Prakash, who is a resident of the *Som Bazar* Road, Gali no. 15, Sector-3, Raja Puri, Uttam Nagar, West Delhi-110059, has filed the present writ petition under Article 226 of the Constitution of India, *inter alia*, seeking removal of the weekly market which is held every Monday in the said area.

3. The case of the Petitioner is that in the said weekly market, there is extensive encroachment by the vendors and certain photographs have been placed on record.

4. The contrast between a normal day when there is no weekly market and the days when the weekly market is operating is sought to be shown from the following images:

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

Normal Day





Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

Day of Weekly Market





5. In the above background, the Court on 30th April, 2026 had issued the notice in the present petition and had considered the photographs extracted

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

above and had observed as under:

> *"5. In the opinion of this Court, if the above images are true, the contrast is stark. Weekly bazars cannot be converted into a safety and security nightmare for residents. The same ought to be regulated both in terms of number of vendors and the space occupied by them.*
>
> *6. Issue notice. Mr. Chirag Madan, ld. Counsel appearing for the Municipal Corporation of Delhi (hereinafter, 'MCD') accepts notice. Ld. Counsel for the MCD submits that a plan is under preparation by the Government in respect of all such bazaars where there is so much encroachment by the vendors. Ld. Counsel submits that he would be placing the same on record along with a status report in respect of this very market by the next date of hearing.*
>
> *7. Accordingly, let the said report be filed on behalf of the MCD at least two weeks before the next date of hearing."*

6. As can be seen from the above, the Municipal Corporation of Delhi *(hereinafter, 'MCD')* was directed to place on record the status report in respect of these bazaars.

7. Subsequently, an Action Taken Report dated 23rd July, 2026 has been filed by the MCD stating that an Order No. AC/NGZ/MCD/2026/D-59 dated 29th April, 2026 was issued in respect of Som Bazaar weekly market, regarding programs for removal of temporary encroachments.

8. According to the said report, 17 joint programs are stated to have been conducted by the MCD along with the Delhi Police and the Traffic Police in Najafgarh Zone, for removal of temporary encroachment and de-congestion of traffic. Out of the said 17 programs, location of Madhu Vihar and Som

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

Bazaar was listed at serial numbers 2, 8 & 13.

9. The copy of the said order dated 29th April, 2026 was also communicated to the concerned SHOs.

10. On 4th May, 2026, all the unauthorized vendors and hawkers at the Monday Weekly Market, Som Bazaar, Madhu Vihar were removed.

11. In order to prevent re-encroachment, a further letter bearing No. *AC/NGZ/MCD/2026/0-70* was issued on 5th May, 2026 by the Deputy Commissioner, Najafgarh Zone, MCD, and officials were directed to keep a strict vigil. The said order is extracted below:

MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE DEPUTY COMMISSIONER
NAJAFGARH ZONE
Dhansa Stand, Najafgarh,
New Delhi-110043

No. AC/NGZ/MCD/2026/D- 70 Date:- 05.05.2026

To

The S.H.O,
Police Station Dabri
New Delhi

Subject: Prevention of re-encroachment by Unauthorised Som Bazar, Block-A, Raja Puri Madhu Vihar and its surrounding areas.

Sir,

An encroachment removal program was conducted by this Corporation in the presence of local Police provided by you on 04-05-2026 and unauthorized shops/hawkers were removed from the said area and its surrounding areas.

2. Accordingly, it is now requested to keep strict vigil in the above mentioned areas where temporary encroachment has been removed so that re-encroachment on the public land/road in the above mentioned areas does not occur by the vendors/encroachers as per the directions of the Hon'ble Supreme Court of India in the matter of "Sudhir Madan & Ors. V/s M.C.D. & Ors. in IA No. 394 in IA No. 356 in W.P. (C) No. 1699/1987 dated 05-05-2006 and Hon'ble High Court of Delhi in W.P. (C) No. 4999/2017 and CM No. 21610/2017 in the matter of "Mannu Mishra V/s Govt. of NCT of Delhi & Ors. as well as the directions of Hon'ble Lieutenant Governor of Delhi in this regard for making roads/corridors congestion free.

Your faithfully,

05/05/26

Administrative Officer
Najafgarh Zone/MCD

Administrative Officer
Najafgarh Zone
MCD

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

12. The steps taken by the MCD, as per the Action Taken Report of the MCD, are as under:

> *"2. That in this regard, it is submitted that the department has taken action against this unauthorized weekly Market namely Som Bazaar from time to time. An order no.AC/NGZ/MCD/2026/D-59 dated 29.04.2026 regarding "Programs for removal of temporary encroachment actions"- at various locations under Najafgarh Zone, MCD. It was issued by the office of the Deputy Commissioner, Najafgarh Zone of Municipal Corporation of Delhi wherein it was mentioned that in pursuance of the directions of the Hon'ble Supreme Court of India in the matter titled as "MC Mehta vs. UOI and ors." Regarding constitution of Special Task Force under Chairmanship of Vice Chairman, DDA passed in W.P.(C) No. 4677/1985 to address the issue pertaining to the_encroachment made by the violators.*
>
> *3. That 17 joint programs along with Delhi Police and Delhi Traffic Police were fixed at various locations under Najafgarh Zone of MCD for removal of the temporary encroachment including de-congestion of traffic and out of these 17 programs, the locations of Madhu Vihar, Som Bazaar was enlisted at Serial No. 2, 8 & 13 and the date and time of action was fixed as 04.05.2026, 11.05.2026 & 18.05.2026. The copy of the said order was sent to concern SHO also. On 04.05.2026, all the unauthorized vendors/ hawkers at Monday Weekly Market, Som Bazaar, Madhu Vihar, Rajapuri were removed with the assistance of the police force and after removal of the bazaar, the photographs are annexed herewith and marked as Annexure-A.*
>
> *4. That a letter no. AC/NGZ/MCD/2026/D-70 dated 05.05.2026 was also issued by the office of the Deputy*

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

Commissioner, Najafgarh. Zone, MCD to the concerned SHO for prevention of re-encroachment wherein it was mentioned the all the unauthorized vendors/hawkers at Monday Weekly, Market, Som Bazaar, Madhu Vihar, Raja puri were removed and in view of the same, it was requested that appropriate officials be directed to keep strict vigil in the said area so that re-encroachment on the public land/road is not done by vendors/encroachers. The copy of the letter dated 05.05.2026 is annexed herewith and marked as Annexure-B.

5. That again, on 11.05.2026, all the unauthorized vendors/hawkers at Monday Weekly Market, Som Bazaar, Madhu Vihar, Raja Puri were removed with the assistance of police force and after removal of bazaar. The photographs are annexed herewith and marked as Annexure-C .

6. That a letter no. AC/NGZ/MCD/2026/D-82 dated 12.05.2026 was again issued by the office of the Deputy Commissioner, Najafgarh Zone, MCD to the SHO for prevention of re-encroachment wherein it was mentioned that the all the unauthorized vendors/ hawkers at Monday Weekly Market, Som Bazaar, Madhu Vihar, Raja puri were removed and in view of the same, it was requested that appropriate officials be directed to keep strict vigil in the said area so that re-encroachment on the public land/road is not done by the vendors/encroachers. The copy of the letter dated 12.05.2026 is annexed herewith and marked as Annexure-D.

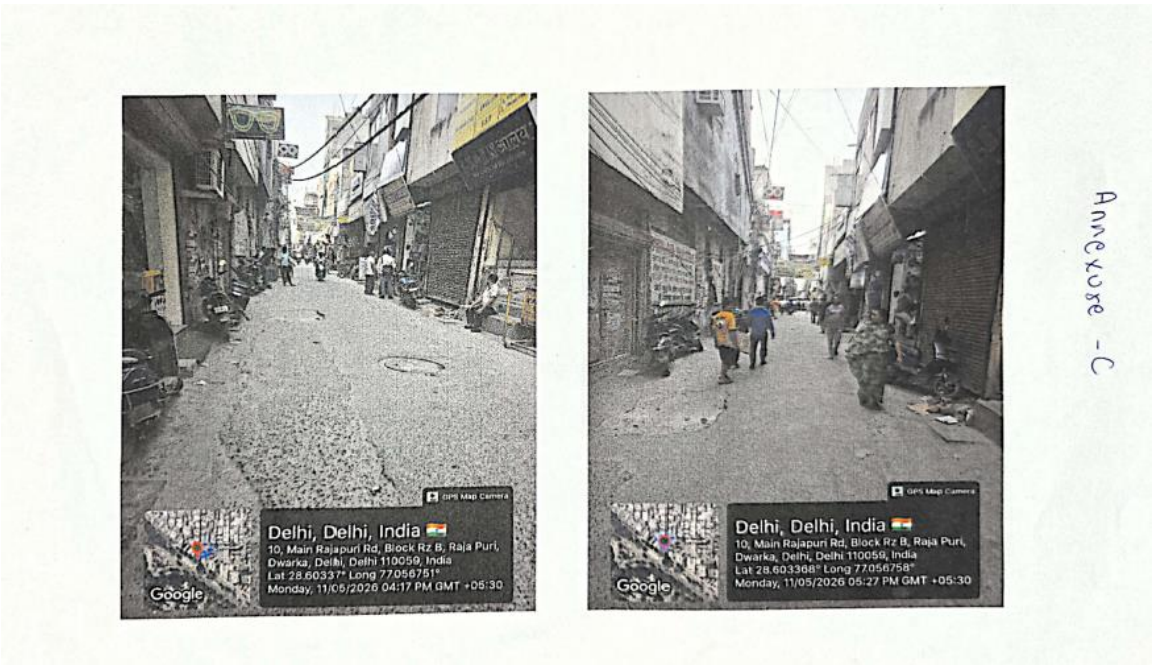
7. That and again on 18.05.2026, an the unauthorized ·vendors/hawkers at Monday Weekly Market, Som Bazaar, Madhu Vihar, Rajapuri were removed with the assistance of police force and after removal of bazaar photograph. The photographs are annexed herewith and

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

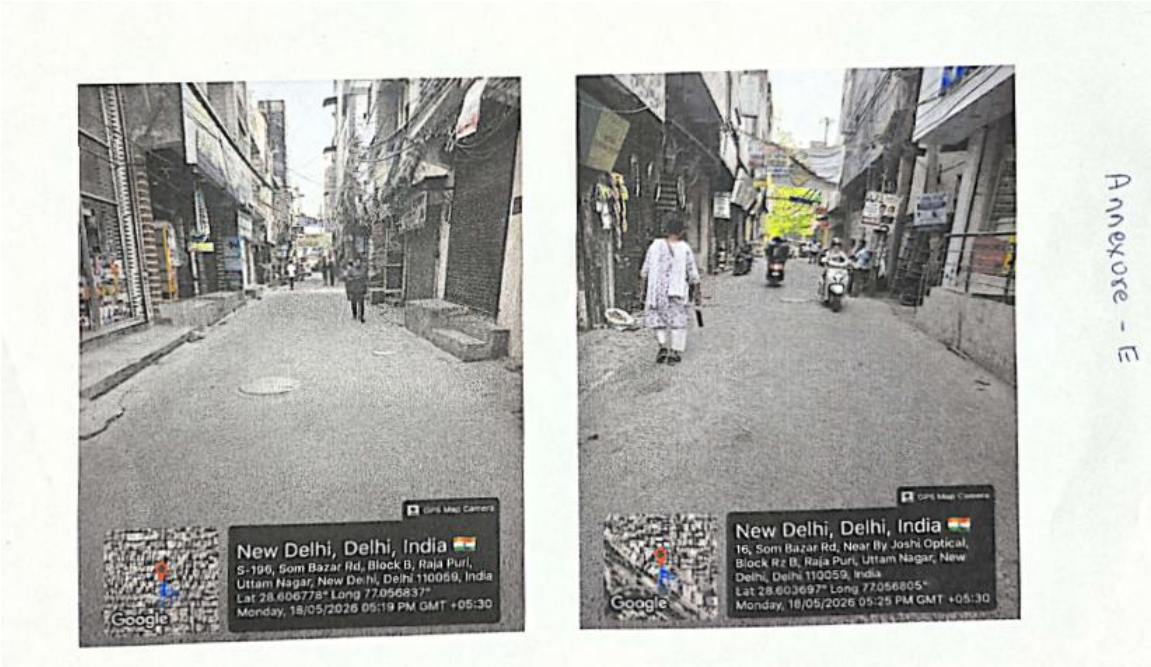
marked as Annexure-E.

8 . That a letter no. AC/NGZ/MCD/2026/D-110 dated 20.05.2026 was again issued by the office of the Deputy Commissioner, Najafgarh Zone, MCD to the concerned SHO for prevention of re-encroachment wherein it was mentioned that the all the unauthorized vendors/ hawkers at Monday Weekly Market, Som Bazaar, Madhu VJhar, Rajapuri were removed and in view of the same, it was requested that appropriate officials be directed to keep strict vigil in the said area so that re-encroachment on the public land/road is not done by vendors/encroachers. The copy of the letter dated 20.05.2026 is annexed herewith and marked as Annexure-F."

13. Further, photographs have also been filed on behalf of the MCD to support the above facts and to demonstrate that the vendors have been removed. The said photographs are set out below:



Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49



14. Thereafter, on 6th August, 2026, the Court had directed that the S.H.O. P.S. Dabri would be personally responsible to ensure that there is no re-encroachment in the area and a status report was directed to be filed.

15. Pursuant thereto, a status report has also been filed by the S.H.O. P.S. Dabri, stating the following:

> *"1. It is respectfully submitted that, in compliance with the directions of the Hon ble Court dated 06.08.2026, all concerned beat staff were duly appraised and directed to ensure strict compliance and prevent any re-encroachment at the site i.e. Som Bazar Road, Rajapuri, Delhi.*
>
> *2. The beat staff has been conducting regular and continuous patrolling on Som Bazar Road, Rajapuri, Delhi, particularly on Mondays. Local vendors have been duly informed of the directions of the Hon'ble Court and strictly warned against any encroachment or obstruction on the said street.*

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

> *3. The Police Station staff is also conducting regular checks and taking prompt enforcement action against violators. Articles of street vendors found encroaching upon the road in violation of the directions are seized as per law on a regular basis. (copy of photos and DD entries enclosed)*
>
> *4. Thus, continuous vigilance, patrolling and enforcement action are being undertaken to ensure that no re-encroachment takes place and the directions of the Hon'ble Court are complied with in letter and spirit. The undersigned is duty-bound to comply with and abide by the directions/orders passed by this Hon'ble Court."*

16. As can be seen from the above status report, the SHO, P.S. Dabri, has apprised the concerned beat staff of the directions passed by this Court and directed them to ensure strict compliance thereof. Regular and continuous patrolling, particularly on Mondays, is being undertaken on Som Bazar Road, Rajapuri, Delhi, and the local vendors have been informed of the Court's directions and warned against any encroachment or obstruction.

17. Further, it is also stated that regular checks are being conducted and enforcement action is being taken against violators, including seizure of articles found encroaching upon the road, in accordance with law.

18. Today, ***CM APPL. 70058/2026*** has been filed on behalf of 116 vendors of the Monday Weekly Market, seeking, *inter alia*, their impleadment in the present petition on the ground that they are holders of vending certificates issued by the MCD.

19. It is submitted by Mr. Wadhwa, ld. Counsel for the applicants that at the Som Bazaar road, the weekly market cannot function considering the width of the road. However, since all these persons have been issued valid

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

Certificates of Vending, they ought to be permitted to vend by identifying an alternate site.

20. On behalf of the Petitioner, it is submitted by ld. Counsel that, in view of the recent drives conducted by the police and MCD, until 8:30 p.m., none of the street vendors carry out vending activities on *Som Bazar* Road. However, after 8:30 p.m., the vendors resume vending activities, thereby creating complete chaos in the area.

21. It is further submitted by the ld. Counsel for the Petitioner that the width of the road is so narrow that no movement of pedestrians or vehicles is possible.

22. Some of the residents of the area are also present in Court and have shown certain photographs to the Court.

23. Considering this situation, the Som Bazaar road may have to be declared as a 'No vending zone' in order to ensure the safety and well-being of the residents.

24. The MCD is directed to consider this aspect and declare the Som Bazaar road as a 'No vending/no hawking Zone' and put up proper boards to this effect.

25. The S.H.O. of the concerned area shall continue to supervise and hold a vigil at least on an hourly basis to ensure that no vendors vend in this area. It is made clear that even post 8:30 p.m., no vending shall be permitted on Mondays at the Som Bazaar road.

26. Insofar as the vendors who have Certificates of Vending are concerned, a perusal of some of the vending certificates would show that they are in the category of '*Others'* and are in Najafgarh Zone, Ward S-52.

27. As per the terms and conditions of vending, specifically condition

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49

No.11, they can operate as mobile vendors. However, they shall not be permitted to vend in the Som Bazar Road, Gali No.15, Sector-3, Rajapuri, Uttam Nagar, Delhi.

28. Within the said Zone and Ward, they are permitted to operate as mobile vendors, except on the said road and barring any other Non-vending areas.

29. The concerned Additional Commissioner, MCD shall identify a space in the area where the vendors having Certificates of Vending can operate the weekly market. However, for this purpose, it shall be with the consent of the local residents only.

30. Let the Additional Commissioner hold a meeting with the weekly vendors on **30th November, 2026**, at **11:30 a.m.**, in the office of the MCD. The local residents shall also be permitted to attend the said meeting.

31. The directions in respect of the weekly vendors given herein shall not be construed as any rights being conferred upon them, and no equities shall be claimed by them.

32. The petition is disposed of in these terms. All pending applications, if any, are also disposed of.

33. This order shall also be communicated to the concerned Traffic Police, S.H.O. of concerned areas for necessary information and compliance.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

NOVEMBER 2, 2026/*Rahul/sm*

Signature Not Verified
Signed By:RAHUL
Signing
Date:04.11.2026
16:02:49