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

Date of decision: 2nd November, 2026

Uploaded on: 4th November, 2026

\# **CNR No. DLHC010526732026**

\+ **W.P.(C) 16163/2026 & CM APPL. 75711/2026**

ARVIND GUPTA AND ANR .....Petitioners

Through: Mr. Aditya, Mr. Vipin Kumar, Ms. Pralika Chakraborty, Mr. Anjani Kumar Mishra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS .....Respondents

Through: Ms. Pooja S. Kalra & Mr. Virendra Singh,, Adv. for MCD.
Mr. Arjun Pant & Mr. Sahil Sharma for DDA.
Ms. Vaishali Gupta, Panel Counsel (Civil) GNCTD, Ms. Rashi Aggarwal, Adv.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

JUDGMENT

Prathiba M. Singh, J.

1. This hearing has been done through hybrid mode.

2. The present petition has been filed by two Petitioners under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to accommodate the Petitioners at site 'X', at Nehru Place District Centre, in terms of paragraph 48 of the judgement dated 28th September, 2026 passed by this Court in ***Cont. Cas(C) No. 703/2021*** titled ***'Federation of Nehru Place Association v. Gyanesh Bharti & Ors.'***.

3. The Petitioners-Mr. Arvind Gupta and Mr. Raju Gupta @ Rajkumar

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Gupta, claim to be vending in the Nehru Place area since 1989. They have repeatedly filed various proceedings, and the chronology of the same would be necessary to be captured to consider whether they would be entitled to any relief.

4. Initially, the Petitioners had approached this Court *vide* ***W.P.(C) 5689/2010*** titled ***'Arvind Gupta & Ors. Vs. MCD & Anr.'*** (**WP-1**) seeking protection for their vending activities. The said WP-1 was disposed of *vide* order dated 13th October, 2014 in the following terms:

> *"**CM APPL. 11250/2012 in W.P.(C) 6893/2008***
> *Keeping in view the averments in the application, delay in moving the impleadment application by legal heirs of petitioner no. 1 is condoned. Accordingly, the application stands allowed.*
> ***CM APPL. 11249/2012 in W.P.(C} 6893/2008***
> *Present application has been filed for bringing on the legal heirs of petitioner no. 1 on record.*
> *Keeping in view the averments in the application, same is allowed subject to just exceptions. However, it is clarified that applicants would still have to apply in terms of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 for change of tehbazari licence.*
> ***W.Ps(C) 6893/2008 & & CM APPLs. 5519/2011, 5520/2011, 5521/2011, 20350/2011, W.P.(C) 6894/2008 & CM APPL. 10480/2012, W.P.(C) 1045/2010, W.P.(C) 2545/2010, W.P.(C) 4595/2010, W.P.(C) 5487/2010, & CM APPL. 10808/2010, W.P.(C) 5689/2010 & CM APPLs. 11184/2010, 11510/2011, W.P.(C) 8146/2010, W.P.(C) 3891/2011, W.P.(C) 4577/2011, W.P.(C) 5172/2012 & CM APPL. 10569/2012***
> *Present writ petitions have been filed seeking directions to respondents not to displace/dislocate the petitioners from their respective squatting sites at*

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Nehru Place, New Delhi till allotment of tehbazari sites and to implement the Act No. 43 of 2007.

Mr. Amit Chadha, learned senior counsel appearing for petitioners states that petitioners are the tehbazari holders who are functional as of today. He, however, states that petitioners have not been officially allotted tehbazari sites.

Learned counsel for respondent-DDA state that Nehru Place has been notified as 'No Hawking Zone' and after development the area has been handed over to respondent-Corporation.

This Court is of the view that the present writ petitions have been overtaken by subsequent events inasmuch as the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereinafter referred to as 'Act, 2014') has come into force on 4th March, 2014. The Act, 2014 provides for constitution of a Committee which is to conduct survey of existing street vendors and frame a scheme for relocation.

In the opinion of this Court, Section 3(3) of the Act, 2014 clearly states that no street vendor shall be evicted or relocated till the survey to be carried out by the Committee has been completed and certificate of vending has been issued to all street vendors.

Consequently, State Government is directed to make the Town Vending Committee functional within a period of eight weeks. Petitioners are also permitted to simultaneously file their representations with the Committee within a period of eight weeks.

Upon the said representations being filed, the Committee is directed to decide the same expeditiously, preferably within six months.

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With the aforesaid direction, the present writ petitions and applications are disposed of.
Order dasti."

5. As can be seen from the above, the Court had directed the Petitioners to file their representations before the Town Vending Committee, and the same were to be decided within six weeks.

6. Thereafter, another writ petition was filed by Petitioners being ***W.P.(C)10462/2016*** titled ***'Arvind Gupta & Ors. vs. Govt. of NCT & Ors.' (WP-2)*** wherein they again claimed rights to vend in the Nehru Place area. The said petition was disposed of *vide* a detailed order dated 17th November, 2017 in the following terms:

"[...]10. We have heard learned counsel for the parties and considered their rival submissions.

11. The basic submission made by Ms.Ghai is that since the names of the petitioners figure in the affidavit filed by the DDA before the Supreme Court in the case of Manushi Sangathan (supra), thus, the petitioners are entitled to protection, is without any force. Firstly, for the reason that in fact no protection was granted to the petitioner and the affidavit filed by the DDA contains a factual error. This is evident from the fact that neither any copy of any stay order granted in favour of the petitioner has been filed. To the contrary Ms.Ghai is relying upon two orders dated 20.08.2010 and 09.08.2011. <u>One of the orders is post filing the affidavit before the Supreme Court of India seeking stay, which would not show that the petitioners themselves were aware and conscious that no protection had been granted to them.</u> Another writ petition was filed subsequently. In the second writ petit ion also, no stay was granted. Both the writ petitions i.e. first and second

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writ petitions were disposed of allowing the petitioners to approach the Town Vending Committee. During the course of hearing, Ms. Ghai relied on order dated 13.10.2006 of Commercial Civil Judge, Delhi which is also of no benefit to the petitioners as the learned counsel has been unable to point out to this Court the outcome of the suit in which such an order was passed. In fact, counsel fairly submits that she is not aware as to what was the outcome of the civil suit and in which proceedings this order was passed. She is not aware as to whether the suit is pending or dismissed or whether interim order is confirmed or vacated.

12. We also find that the affidavit which was filed before the Supreme Court of India and the final order dated 25.04.2011 passed by the Supreme Court of India reflects the stand of the erstwhile land holding agency in Manushi Sangathan (supra). As per the order, the Supreme Court has noticed that "However, the Petitioner authority also submits that the same may not be taken as a concession on behalf of the Petitioner authority to give up its case of the NDPC being declared as No Hawking zone or an admission on the part of the Petitioner authority for other hawkers to use Nehru Place District Centre as hawking site."

13. Such a stand was also taken in the affidavit filed before the Supreme Court that "It is pertinent to point out that as on date the Nehru Place District Centre is declared as "No Hawking Zone". However, by virtue of various courts orders, several hawkers have occupied the Piaza."

14. We may note that in at least three separate writ petitions which were filed in this court the SDMC had conceded that the petitioners in those writ petitions were regular street vendors and had been granted protection by some court order hence a stand has been taken that

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they would not be removed till a final decision has been taken in the matter.

15. The SDMC being a statutory body and limb of the government is bound to act in fair and just manner and the submissions that petitioners are being singled out are not correct.

16. Having regard to the fact that in the earlier two writ petitions filed by the petitioners no favourable orders were passed, the stand taken by the SDMC and further for the detailed reasons in Bachchu Singh & Anr(supra), that Nehru Place is a „no hawking", „no vending zone", we find no ground to entertain the writ petition. The same is accordingly dismissed.

17. It would be open to the petitioners to approach the Town Vending Committee(TVC) with all supporting documents, as and when it is functional, and merely because that they are not found vending at the site, should not be a ground to reject their claim.

18. At this stage, Ms.Ghai submits that the petitioners would approach the SDMC and make a request for grant of site in the Greater Kailash area and she submits that in case any site is available, the petitioners should be accommodated. Accordingly, it is directed that the TVC will decide the claims of the petitioners in accordance with law based on documents filed by them and unaffected by any of the observations made by this Court in this case."

7. As can be seen from the above order, in the case of the Petitioners, in view of the decision dated 7th September, 2017 in ***W.P.(C) 2566/2017*** *titled* ***Bachchu Singh & Anr. v. South Delhi Municipal Corporation and Ors.*** Nehru Place having been declared as a no hawking and no vending zone, the

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petition was not entertained, and the Petitioners were permitted to approach the Town Vending Committee. In fact, the counsel appearing for the Petitioners had submitted that they would seek some alternate location in the Greater Kailash area.

8. The above order dated 17th November, 2017 in WP-2, was also challenged by the Petitioners before the Supreme Court in ***SLP 19192/2018*** titled ***'Arvind Gupta and Ors. v. Govt. of NCT of Delhi & Ors.'.*** The said SLP was dismissed by the Supreme Court *vide* order dated 5th February, 2020.

9. The Petitioners' case did not rest there. The Petitioners had filed another writ petition being ***W.P.(C) 3321/2021*** titled ***'Arvind Gupta & Ors. vs. Town Vending Committee-I and Ors.' (WP-3)*** which was considered by this Court and order dated 19th March, 2021 was passed. The said order is set out below:

> *"**CM APPL. 10128/2021***
> *Exemption allowed, subject to all just exceptions.*
> *The application stands disposed of.*
>
> ***W.P.(C) 3321/2021 & CM APPL. 10127/2021***
> *Issue notice. Ms.Mini Pushkarna, Advocate and Mr.Abhinav Singh, Advocate accept notice on behalf of respondent nos.1 to 3 and respondent no.5 respectively.*
>
> *In view of the order that we propose to pass, it is not necessary to have the presence of respondent no.4/DDA.*
>
> *The grievance of the petitioner inter alia is that the Town Vending Committee(TVC) has not responded to the representations made by the petitioners on 09.09.2020 and 27.10.2020 till date. The petitioners*

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seek a direction to the respondent no.1/TVC to include them in the survey, register and issue certificates to them for vending and to allot them vending sites at Nehru Place District Centre, in accordance with Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

Ms.Mini Pushkarna, who appears on advance notice for respondent nos.1 to 3, submits that the TVC is proposing to meet in the coming week. We, therefore, dispose of this petition with a direction to the respondent nos.1 to 3 to positively deal with the petitioners' representations dated 20.09.2020 and 27.10.2020, before they start the survey, and pass a reasoned order thereon.

In case the petitioners are still aggrieved, it shall be open for them to ventilate their grievances appropriately.

The petition, along with pending application, stands disposed of in the aforesaid terms."

10. In terms thereof, the representations of the Petitioners were again permitted to be dealt with by the Town Vending Committee.

11. Thereafter, the Petitioners again filed another writ petition being ***W.P.(C) 1871/2022*** titled ***'Arvind Gupta & Ors. vs. Town Vending Committee-I and Anr' (WP-4)*** which was disposed of *vide* order dated 3rd February, 2022 reiterating that the Petitioners' representations be decided by the Town Vending Committee in the following terms:

"The matter has been heard by way of video conferencing.
C.M.Nos.5373-5374/2022

Exemption allowed, subject to all just exceptions.
Accordingly, the applications stand disposed of.

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W.P.(C) No.1871/2022

Present writ petition has been filed seeking directions to the concerned authorities to allow the petitioners to peacefully vend in the Nehru Place area in accordance with the Vending Certificates issued to them without any hindrance from Town Vending Committee. Petitioners seek relocation in case they cannot be allowed to vend in the Nehru Place Area. Petitioners also seek a direction to the respondents to pass a reasoned order in response to their representations dated 30th August, 2021.

Issue notice. Learned counsel for the respondents accept notice.

Mr.Sanjay Poddar, learned senior counsel for SDMC states that Nehru Place is a no vending zone. He further states that the petitioners' representation as well as prayer for alternative site can only be examined by the Town Vending Committee.

Consequently, the present writ petition is disposed of with a direction to the Town Vending Committee to decide the petitioners' representation dated 30th August, 2021 for an alternative site within four weeks, in accordance with law. This Court clarifies that it has not commented on the merits of the controversy. The rights and contentions of all the parties are left open."

12. In terms of the above order, the Petitioners' representation was to be decided by the TVC within four weeks. In fact the stand of the Corporation is again recorded that Nehru Place is a No-Vending zone.

13. The Petitioners then filed a contempt case being ***CONT.CAS(C) No. 655/2022*** titled ***'Arvind Gupta & Anr. v. Gyanesh Bharti & Ors.'*** In the said

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case, *vide* order dated 18th October, 2022, this Court has observed that there was no wilful disobedience on the part of the Respondents. Further, it was noted that the Town Vending Committee had taken a decision on 17th August, 2022 and, therefore, the contempt case was disposed of. The relevant portion of the order dated 18th October, 2022 is extracted below:

> *"....In view of the aforesaid, the directions contained in the order dated 03.02.2022, passed in W.P.(C)1871/2022 stands complied with and there cannot be said to be any wilful disobedience on the part of the respondents. Accordingly, no further orders are required to be passed in the present petition and the same is, accordingly, disposed of.*
>
> *Needless to say, the petitioner is at liberty to avail appropriate legal remedies, if so advised against the decision that has been taken by the TVCI of Central Zone on 17.08.2022, on the representation of the petitioner dated 30.08.2021."*

14. Since liberty was granted to the Petitioners to avail their legal remedies, the Petitioners filed ***W.P.(C) 2453/2023*** titled '***'Arvind Gupta & Anr. v. Town Vending Committee-I (TVC-I) through Chairperson, Town Vending Committee (TVC) and Ors.' (WP-5)*** which was disposed of on 2nd April, 2024 in the following terms:

> *"1. The petitioners have filed the present petition, inter alia, praying as under:*
>
> *"a) Issue a direction/order in the nature of a writ of mandamus thereby directing the Respondents to allow the petitioners to peacefully vend in accordance with the vending certificates issued to them;*
> *b) Issue a Direction that in case petitioners are not allowed to vend in Nehru Place area for the reason that the Respondents stand is*

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that it is a No vending area then Petitioners be relocated to any other area in the same manner as some other street vendors are relocated;

c) Issue a order/direction to the respondent to provide location of Site on the Certificate of Vending;"

2. The petitioners claim that they were carrying on their vending activities at Nehru Place, which is now declared a non-vending / non-hawking zone. In the aforesaid context, the petitioners claim that the respondents be directed to allocate another vending site to the petitioners from where the petitioners can carry on their vending activities peacefully.

3. The learned counsel appearing for the petitioners also draws the attention of this Court to an order dated 03.02.2022 whereby the earlier petition filed by the petitioners [being W.P.(C) No.1871/2022 captioned Arvind Gupta & Anr. v. Town Vending Committee-I & Ors.] was disposed of in the following terms:

"Consequently, the present writ petition is disposed of with a direction to the Town Vending Committee to decide the petitioners' representation dated 30th August, 2021 for an alternative site within four weeks, in accordance with law. This Court clarifies that it has not commented on the merits of the controversy. The rights and contentions of all the parties are left open."

4. The learned counsel appearing for the petitioners states that although a representation was made but no site has been allocated to the petitioners as yet. He submits that the TVC has also expressed its inability to allocate any site to any street vendor at this stage.

5. The learned counsel appearing for the Municipal

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Corporation of Delhi (MCD) / respondent no.2 submits that there is no dispute that the petitioners are entitled to a Certificate of Vending (hereafter CoV) and to carry on their vending activities in the area of ward Kalkaji other than the areas that have been declared as non-vending zones. She submits that no particular site can be allocated to any street vendor at this stage as the TVC-II has not been constituted. In terms of Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the concerned municipal authority is required to make a Vending Plan in consultation with the TVC. It is stated that the Vending Plan would determine the areas where vending activities can be carried out and the sites that may be available for allocation. Thus, until this exercise is undertaken, no specific site can be allocated to the petitioners.

6. In view of the above, the learned counsel appearing for the petitioner submits that directions be issued to the respondents that as and when TVC-II is constituted, the same would consider the petitioners' request in accordance with law. The learned counsel appearing for the MCD also submits that there is no objection to this direction being issued. Thus, it is so directed.

7. ***Insofar as the present status is concerned, it is clarified that the petitioners would be entitled to carry on their vending activities in the area of ward Kalkaji other than the areas which have been declared as non-vending/ non-hawking zones. Subject to the petitioners strictly complying with the terms and conditions, as are applicable to the street vendors that have been issued a CoV, the petitioners shall not be disturbed from carrying on their vending activities. It is noted that one of the terms and conditions applicable to CoV issued by the TVC require the street vendors to not carry on their vending activities from a***

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place for not more than thirty minutes or till such time as may be fixed by the TVC. Since the petitioners have not been allocated any fixed site, the petitioners would necessarily have to comply with this condition as well.

8. The petition is disposed of with the aforesaid observations."

15. The present writ petition has now been filed, in view of the detailed judgment passed by this Court on 28th September, 2026 in various writ petitions relating to the Nehru Place area, the lead matter being ***Cont. Cas(C) No. 703/2021*** titled ***'Federation of Nehru Place Association v. Gyanesh Bharti & Ors.'***.

16. It is the submission of Mr. Aditya, ld. Counsel for the Petitioners that the Petitioners are similarly placed to the vendors of Manushi Sangathan and, therefore, they ought to be permitted to vend within the site 'X' at Nehru Place District Centre as has been permitted to other 90 vendors in ***Cont. Cas(C) No. 703/2021***.

17. Further, it is also submitted that the Petitioners cannot be discriminated against other similarly placed vendors.

18. Ms. Kalra, ld. Counsel submits that insofar as the Petitioners are concerned, the final order which has been passed is on 2nd April, 2024 in ***W.P.(C) 2453/2023***. Thus, the Petitioners cannot be given the benefit of orders passed in separate writ petitions.

19. The Court has considered the matter. Vending in the Nehru Place area has been an extremely contentious issue and has been the subject matter of several writ petitions before this Court.

20. A serious fire had erupted in the Nehru Place area, which was considered by this Court, in a *suo-moto* writ petition being ***W.P.(C)***

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8430/2021 relating to the fire incident.

21. In the said writ petition, detailed directions were issued and thereafter, in the writ petition of ***Bachchu Singh & Anr. (Supra)***, the Coordinate Bench of this Court had observed that Nehru Place would be a No-vending zone.

22. The various observations in the final judgement dated 28th September 2026 are set out below:

> *"[…] 37. Ld. Counsel for the parties have informed the Court that there are more than 400 vendors who are presently vending in the Nehru Place District Centre, most of whom are clearly unauthorized. The only authorized vendors in the Nehru Place District Centre are:*
>
> *a) 62 vendors who are part of **W.P. (C) 2183/2026** filed by Manushri Sangathan. There are 5 more vendors who have filed the said writ petition, however, they are vending outside the District Centre area.*
>
> *b) 23 vendors who are part of **W.P. (C) 6823/2017,** out of whom, one Petitioner is stated to be no longer vending. Ld. Counsel for the Petitioners submit that at present only 22 Petitioners are hawking in the Nehru Place Area and hence, only those 22 Petitioners, which includes the Petitioner in **W.P.(C) 9611/2017**, be permitted to vend.*
>
> *c) 6 vendors who are part of the **W.P. (C) 7307/2017** and **W.P. (C) 7405/2017.***
>
> *38. The list of the said 90 vendors is set out in **Annexure A** to this order.*
>
> *39. Apart from the above, none of the other vendors have any valid vending right in the Nehru Place District Centre. Especially after the repeated orders being passed by multiple benches of this Court declaring Nehru Place as a 'No hawking zone' and 'No-vending*

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zone'. In fact, even these vendors, who have challenged the matter before the Supreme Court, had lost in terms of order dated 6th January, 2022 passed in ***SLP(C) No. 023381 - 023382/2018*** *titled* ***'Manushi Sangathan v. South Delhi Municipal Corporation'****.*

xxx xxx xxx

41. In terms of the aforesaid decision, if the street vendors are vending in a 'No-vending zone', the MCD or the concerned authority has a duty to assist them in moving from a 'No-vending zone' to a vending zone, so as to provide the street vendors with a workable alternative from where they can earn their livelihood.

42. Under these circumstances, bearing in mind that the TVC-II is about to be constituted and these vendors have been vending in this area for several years, the above mentioned vendors shall be permitted to vend at Site X marked in the map below:-



43. The 90 vendors mentioned in Annexure 'A' shall move to site 'X' by 12th October, 2026. It is made clear that TVC-II after being constituted shall take a decision as to whether these vendors are entitled to Certificate of Vending or not and if so, the area where they would be vending. The said decision shall be taken within two

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months after the constitution of the TVC II.

44. ***Insofar as the Nehru Place District Centre area, except the identified portion above as marked X, the entire Nehru Place District Centre is declared as a 'No-hawking zone' and 'No-vending zone'****.*

45. After 12th October, 2026, the MCD is free to take action and remove all unauthorized vendors. After the unauthorized vendors are removed, the Delhi Fire Services shall conduct an inspection of the Nehru Place District Centre and file compliance a report only in ***W.P.(C) 8430/2021****.*

46. The TVC-II shall communicate its decision to these vendors, who have been permitted to vend at Site No. X, in terms of Section 18 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

47. The Delhi Police shall render all co-operation with the MCD and the DDA to ensure compliance of today's order.

48. In case there are any other vendors whose names are recognised in the affidavit filed by the DDA before the Supreme Court under signature of Mr. Solanki, the concerned Assistant Commissioner, MCD shall also accommodate the said Petitioners, however, the same shall be subjected to the decision of TVC-II. The said vendors can make the representation to the concerned Assistant Commissioner, MCD who shall consider the same in accordance with law.

49. In these matters, several applications have been filed on behalf of the vendors seeking impleadment. The details of the same are as under:

- ***CM. APPL. 11085/2022 in W.P. (C) 8430/2021***

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- ***CM. APPL. 11125/2022 in W.P. (C) 8430/2021***
- ***CM. APPL. 11139/2022 in W.P. (C) 8430/2021***
- ***CM. APPL. 19730/2022 in W.P. (C) 8430/2021***

> *50. If any of these Applicants are recognised in the affidavit filed by the DDA before the Supreme Court under signature of Mr. Solanki, the said Applicants can also make a representation to the concerned Assistant Commissioner, MCD who shall consider the same in accordance with law."*

23. In terms of the above order, this Court has again reiterated and reaffirmed that Nehru Place is a Non-vending zone. Directions have been issued as to the manner in which all unauthorised vendors have to be removed. Only some authorised vendors have been temporarily permitted to vend in one designated area as identified by the MCD described as Site `X'. It is at this site that the Petitioners pray that they be permitted to vend.

24. In the opinion of this Court, the case of the Petitioners would stand on a different footing as both the Petitioners have repeatedly approached this Court for being permitted to vend in the Nehru Place area and specific directions have been passed from time to time in five writ petitions and the contempt petition.

25. In their specific case, orders have been passed by this Court, as captured above, that their representations shall be considered by the Town Vending Committee.

26. Finally, their representations were rejected *vide* order dated 2nd April, 2024, while permitting them to carry out vending activities in the Kalkaji Ward, except in the non-vending and non-hawking zones.

27. The Petitioners are now bound by the directions given vide order dated 2nd April, 2024 for more than two and a half years.

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28. The only ground on which the Petitioners are now seeking to vend from the Nehru place District Centre is the judgment dated 28th September, 2026.

29. In the opinion of this Court, the judgment dated 28th September, 2026, was rendered in the facts and circumstances of those cases, wherein the Court sought to strike a balance between the rights of pedestrians and street vendors, while also ensuring the safety of the market and its visitors, as well as safeguarding the livelihood of certain vendors.

30. Accordingly, a specific site was marked as 'X', where only 90 vendors were permitted to vend.

31. The judgement dated 28th September, 2026 would not override the declaration of Nehru Place District Centre as a No-vending and No-hawking zone.

32. In the case of the Petitioners, the order dated 2nd April, 2024 is already operating, which has been passed by a Coordinate Bench of this Court.

33. The judgment dated 28th September, 2026 would not, in the opinion of this Court, result in overriding of the order dated 2nd April, 2025, or result in reviewing the said judgment which has already been passed.

34. Accordingly, the Petitioners shall be bound by the order dated 2nd April, 2024 passed in the W.P.(C) 2453/2023.

35. Ld. Counsel for the Petitioners had relied upon paragraph 48 of the judgment dated 28th September 2026 which reads as under:

> *"48. In case there are any other vendors whose names are recognised in the affidavit filed by the DDA before*

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> *the Supreme Court under signature of Mr. Solanki, the concerned Assistant Commissioner, MCD shall also accommodate the said Petitioners, however, the same shall be subjected to the decision of TVC-II. The said vendors can make the representation to the concerned Assistant Commissioner, MCD who shall consider the same in accordance with law."*

36. In terms thereof, the Petitioners are free to make their representations, and if the said representations have been made the same shall be considered in the meantime by the Assistant Commissioner, MCD, within two months,

37. Upon being constituted, the TVC-II shall review the representations and decide the same.

38. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

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JUDGE

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