$~233

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

\# **CNR No. DLHC012650622017**

\+ **W.P.(C) 5002/2017**

CHANDNI CHOWK SARV VYAPAR MANDAL (REGD.) .....Petitioner

Through: Mr. Sanjeev Ralli, Sr. Advocate with Mr. Mohit Mudgal, Mr. Ravi Kant Yadav, Ms. Nivedita Sharma, Mr. Chetanya Baweja, Mr. Sandeep Yadav & Mr. Prashant Pandey, Advs. (M:9911557676)

versus

DELHI POLICE THROUGH COMMISSIONER OF POLICE & ORS. .....Respondents

Through: Mr Kapil Dutta Standing, Counsel for MCD in ***CM APPL.77720/2026***.
Mr Kamlesh Kumar Mishra, Mr. Swagata Gupta & Ms. Renu Mr Rishi Raj, Advs. for Impleaders. (M:7091885547)

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

O R D E R

% 05.11.2026

1. This hearing has been done through hybrid mode.

CM APPL.77720/2026 (for revival of writ petition) in W.P.(C) 5002/2017

2. The present application has been filed by the Petitioner – Chandni Chowk Sarv Vyapar Mandal (Regd.) under Section 151 of the Code of Civil Procedure, 1908, *inter alia*, seeking revival of the present petition.

3. The Petitioner is a registered Society of traders in the Chandni Chowk

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

area.

4. The ground on which the Petitioner seeks revival of the present petition is the complete inaction on the part of the Special Task Force *(hereinafter, 'STF')* in removing unauthorised vending and encroachments in the Chandni Chowk area, with a view to making the area pedestrian-friendly and ensuring enforcement of the norms governing the No Vending Zone.

5. The brief background is that Chandni Chowk, Subhash Marg and other adjoining areas were declared as 'No-Vending' and 'No-Squatting' zones pursuant to the orders passed by the Supreme Court in ***W.P. (C) No. 1699/1987***, titled ***'Gainda Ram and Ors. v. MCD and Ors.'*** wherein the Supreme Court took note of the affidavit filed by the North Delhi Municipal Corporation declaring the aforesaid areas as 'No-Vending' zones. Vide order dated 7th May, 2007 in ***W.P. (C) No. 1699/1987***, the said scheme was approved by the Supreme Court.

6. Pursuant thereto, the present writ petition being ***W.P.(C) 5002/2017*** was filed by the Petitioner seeking directions to the Respondents to ensure that no squatting or vending activities are carried out in the Chandni Chowk, Subhash Marg area, as the said areas have been declared as a No-vending zones.

7. In the present petition, various orders have been passed by this Court, including the order dated 19th April, 2022 to ensure that there is no vending at the following three main roads:

(i) Main Road of Chandni Chowk from Red Fort to Fatehpuri

(ii) H.C. Sen Marg

(iii) Subhash Marg

8. *Vide* the said order dated 19th April, 2022, on the suggestion of ld.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

ASG, a STF was constituted to regularly check/take action and prevent resurfacing of illegal hawking, vending, and encroachments in the Chandni Chowk and Subhash Nagar area.

9. In compliance of the said order dated 19th April, 2022, *Office Order* dated 6th May, 2022 bearing ***No. AC/C-SPZ/NDMC/2022/D-3362*** was issued by the Assistant Commissioner, City SP Zone, NDMC. As per the said order, the Constitution of the STF is as under:

> *"..... The STF will be Co-Headed by DC, City-SP Zone (MCD) and DCP, North District, Delhi Police. The Special Task Force in three tier pyramid is as follows:-*
>
> ***A. Think Tank Team:-***
>
> *1. Assistant Commissioner, City-SP Zone, MCD*
> *2. DCP/Addl. DCP (North) with Technical Background*
> *3. Additional DCP-I, North District, Delhi Police*
> *4. DCP, Traffic (North)*
> *5. General Manager - SRDC*
>
> ***B. Field Operation Coordination Team:-***
>
> *1. ACP, Kotwali, Delhi Police*
> *2. Deputy Health Officer, City-SP Zone*
> *3. General Manager, BSES*
> *4. Superintendent Engineer, PWD*
>
> ***C. For Field Action:-***
>
> *1. Inspector (Law & Order) from PS Kotwali & PS Lahori Gate*
> *2. Licensing Inspector, Ward-84 (Chandni Chowk), City-SP Zone, MCD*
> *3. Health Inspector (PHI/FHI), Ward-84 (Chandni Chowk), City-SP Zone, MCD*
> *4. JE (Maintenance) Ward-84 (Chandni Chowk) with Beldars, City-SP Zone, MCD*
> *5. JE, PWD (Chandni Chowk) and field staff of PWD*

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

> *6. Team including Beat Officers/Constables as designated by the SHO of both Police Stations.*
> *7. Field staff of BSES.*
> *8. Safai Karamcharies (DEMS), Ward-84 (Chandni Chowk), City-SP Zone, MCD.*
> *9. Employees designated by AMC Company for maintenance of cameras*
> *The first meeting of the said Special Task Force (STF) will be held on 11.05.2022 at 11:00 AM in the Conference Hall of Dy. Commissioner, City S P Zone at 1st Floor, Nigam Bhawan, Kashmere Gate, Delhi-110006. "*

10. At the relevant point in time, the STF had undertaken various measures to remove illegal vending, hawking and encroachments from the three main roads and a meeting was also convened on 7th December, 2023.

11. In view of the continuous progress made by the STF, and the stipulation of the efforts that the STF would take, the present writ petition was disposed of on 20th December, 2023 in the following terms:

> *"3. The Assistant Commissioner, City Zone, North DMC, Chandni Chowk, who is present in Court, has, by way of an affidavit, filed a status report on 19.12.2023. The same is on record. Apart from giving a detailed status report in respect of the actions taken, the affidavit also encloses therewith the minutes of the meeting of the STF held on 07.12.2023 at 04:15 PM. The said report is extracted hereunder:-*
>
> *"Minutes of the Meeting of Special Task Force (STF) held on 07.12.2023 at 04:15 PM headed by Dy. Commissioner, City S P Zone in the Conference Room of City S P Zone, 1st Floor, Nigam Bhawan, Old Hindu College, Kashmere Gate, Delhi-110006 to discuss the issues regarding continuous operations for removal of encroachments in Chandni Chowk area, Ward-74.*
> *In compliance of orders of the Hon'ble High Court of*

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

Delhi dated 22.11.2023 and 04.12.2023 in WP(C) No. 5002/2017, titled as "Chandni Chowk Sarv Vyapar MandalV s Delhi Police through Commissioner of Police & Ors", a meeting of Special Task Force (STF) was held on 07.12.2023 at 04:15 PM in the Conference Room of Dy. Commissioner, City S P Zone, 151 Floor, Nigam Bhawan, Old Hindu College, Kashmere Gate, Delhi-11 0006 to discuss the issues regarding continuous action against illegal vending/encroachment in no hawking/no vending in Chandni Chowk, Subhash Marg area of City-SP Zone, MCD.

2. The following officers/ officials were present in the meeting:-

S.No.	Name	Designation
01	Sh. MohitBansal, ITS	Dy. Commissioner, CSPZ
02	Sh. Manoj Kumar Meena, IPS	DCP/North
03	Sh. SudhanshuVerma, IPS	Addl. DCP-I/North
04	Md. RaziAlam Khan	Asst. Commissioner, CSPZ
05	Sh. Shakti Bangar	SDM (Kotwali)
06	Insp. Jatan Singh	SHO (Kotwali)
07	Sh. Robin Singh	L&O, PS-Lahori Gate
08	Sh. VikasPilania	TI/Kotwali
09	Sh. Vijay Singh	ACP/Kotwali
10	Sh. AjitKundra	Asstt. Manager, BSES
11	Sh. Vinay Kumar	LI/CSPZ
12	Mr. Mohd. Shakil	AE/CSPZ
13	Mr. AshfaqulHoda	JE(M)-74
14	Sh. Sanjay Bhargava	President, CCSVM
15	Sh. Ajay Kumar	Secretary, CCSVM
16	Sh. Deepak Kumar	Gen. Secy. CCSVM

3. At the outset, Dy. Commissioner/CSPZ welcomed all the participants and brief the officers about orders of Hon'ble High Court of Delhi dated 22.11.2023 in the matter titled as "Chandni Chowk Sarv Vyapar Mandai Vs Delhi Police & orders" vide W.P.(C) No. 5002/2017 in Para 6 of the said order. Which is reproduced as under:-

Let a status report be filed at least three days

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

prior to the next date of hearing by the heads of STF, as was formed in April, 2022 in respect of action taken till date with an advance copy to learned counsel appearing for the petitioner. The status report shall also include a plan as to how it proposes to deal with ongoing menace in future.

4. In this regard, it was informed that City-SP Zone, MCD from April, 2022 to 7th December, 2023, conducted 167 encroachment removal drives, which covered a total distance of 510.40 KM. During the drive 3236 articles were seized and a penalty of Rs.2,51,000 was recovered.

5.DC (CSPZ) drew the attention towards the direction issued by the Hon'ble Supreme Court of India in WP (C) No. 1699 of 1987 dated 05.05.2006 that "We further direct the Delhi Police that whenever hawkers are removed from the non-hawking zones they shall see to it that those areas are not reoccupied by them. We, hereby declare that every SHO shall be held personally responsible if such hawkers reoccupy the areas from which they have been evicted".

6.In light of the above directions of the Hon'ble Supreme Court of India, Deputy Commissioner, CSPZ mentioned that it is responsibility of the Police to ensure that after encroachment removal action by MCD, no encroachment should reoccur. Further, Delhi police beat officials deployed in Chandni Chowk, Subhash Marg shall keep strict vigil on regular basis to ensure that the direction of Hon'ble Court could be complied in letter and spirit.

7.Sh. Vijay Singh, ACP, Kotwali, informed that local Police of concerned area have regularly provided support to MCD in removal of encroachment in Chandni Chowk, Subhash Marg. He also informed that

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

360 cameras have been installed which work as a third eye and the beat officials have been deployed for taking regular actions against any sort of recurrence of encroachment in Chandni Chowk and nearby areas. Further, he submitted action taken report against unauthorized hawkers/squatters and encroachers during the period 01.04.2022 to 07.12.2023 on day-to-day basis, which is as under:-

PS	Year	Action U/s 283 IPC		Kalandra		Action U/s 6 & 66.1 D.P Act	
Kotwali		Cases	P/A	Kal.	P/A	Vehicle (Muds)	Articles (Mudes)
	2022 01.04.22 to 31.12.22	163	163	NIL	NIL	145	237
	2023 01.01.23 to 07.12.23	391	391	NIL	NIL	243	319
Total		554	554	NIL	NIL	388	556
Lahori Gate	2022 01.04.22 to 31.12.22	152	152	75	75	54	507
	2023 01.01.23 to 07.12.23	243	243	73	74	36	496
Total		395	395	148	149	90	1003

8.Deputy Commissioner, CSPZ, the head of STF emphasized that coordination and support among MCD, Police, PWD, District administration and other stakeholders are essentially required for compliance of the order of Hon'ble High Court.

9.After detailed discussion in this matter following were decided:

"(i) Joint encroachment removal drive comprises of officials of MCD and Delhi Police will be taken on regular basis.

(ii) Beat officials of Delhi Police will keep vigil in the area after every encroachment drive and prevent resurfacing/return of the illegal hawking/vending in no hawking/no vending area.

(iii) DCP North has given assurance to provide sufficient number of Police personnel for

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

encroachment removal drive and to prevent its recurrence. MCD will share schedule with Delhi Police and vice-versa for this drive.
(iv) STF will hold regular review meeting every quarter and review the action taken in this regard."

X X X X

6. A perusal of the said orders as extracted, display the anxiety of this Court in order to ensure enforcement of rule of law as also keeping in check the encroachments in the non-vending zones. The extracts of the said orders be read as part and parcel of the present order. It is also observed from the said orders that the SHO of PS Lahori Gate and the Commissioner of MCD were given various directions to ensure that the rule of law prevails.

7. We have carefully perused the said orders and are of the considered opinion that the SHO of the concerned PS as also the Assistant Commissioner of the concerned zone, MCD shall be personally responsible to ensure that the directions, as formulated by the STF in its minutes dated 07.12.2023 shall be scrupulously followed and implemented by the local authorities.

8. In view of the submissions so made, we dispose of this writ petition with a direction that the respondents shall strictly adhere with the actions to be undertaken as decided by the STF in its minutes dated 07.12.2023 and non-compliance thereof shall be viewed seriously by this Court. The strict vigil and action on day to day basis must be taken and in case the encroachments are not removed or re-occurs, the Assistant Commissioner of MCD of the concerned zone and SHO of Police Station Lahori Gate and Kotwali shall be held personally responsible.

9. In view of the above, the present writ petition is disposed of along with pending applications."

12. As can be seen from the above order, the Court held that the SHO of

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

the concerned Police Station and the Assistant Commissioner of the concerned MCD Zone would be personally responsible for ensuring strict compliance with the directions formulated by the STF in its minutes dated 7th December, 2023. The Court further directed the respondents to strictly implement the actions decided by the STF, with daily vigilance and necessary action to ensure the removal of encroachments and prevent their recurrence.

13. Further, in terms of the above order, the STF had itself decided that the following would be the efforts, which would be undertaken to remove encroachments:

> "*(i) Joint encroachment removal drive comprises of officials of MCD and Delhi Police will be taken on regular basis.*
> *(ii) Beat officials of Delhi Police will keep vigil in the area after every encroachment drive and prevent resurfacing/return of the illegal hawking/vending in no hawking/no vending area.*
> *(iii) DCP North has given assurance to provide sufficient number of Police personnel for encroachment removal drive and to prevent its recurrence. MCD will share schedule with Delhi Police and vice-versa for this drive.*
> *(iv) STF will hold regular review meeting every quarter and review the action taken in this regard.*"

14. However, the grievance of the Petitioner is that the STF has become totally inactive and illegal and unauthorised vending and hawking continue unabatedly in the Chandni Chowk Area, reaching dangerous levels. Hence, the present application seeking revival of the writ petition.

15. The Petitioner has also placed reliance on certain photographs to highlight the gravity and seriousness of the situation. Some of the photographs are set out below:

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45



This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45



16. Mr. Sanjeev Ralli, ld. Sr. Counsel for the Petitioner submits that despite repeated letters having been addressed by the Petitioner Society to the STF, no action has been taken.

17. Accordingly, the prayer is for revival of the writ petition and for calling upon the Chairman of the STF to explain the failure of the STF to take steps to implement the decision taken on 7th December, 2023, and recorded in the order dated 20th December, 2023.

18. Heard. The STF, clearly, is under an obligation to ensure that it regularly conducts visits and anti-encroachment drives in the Chandni Chowk Area.

19. The concerned officials of the Delhi Police and the MCD ought to act in coordination to ensure that the Chandni Chowk area remains free from encroachments, accessible to pedestrians and conducive to the movement of

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

visitors.

20. Irrespective of whether the vendors have Certificates of Vending or not, they cannot be vending on the three main roads *i.e.*, main Road of Chandni Chowk from Red Fort to Fatehpuri, H.C. Sen Marg, Subhash Marg as was held earlier *vide* order dated 19th April, 2022.

21. A perusal of the photographs extracted above reveals an alarming state of affairs, wherein vending is continuing in a hazardous, chaotic and unregulated manner.

22. The STF, in fact, ought to be conscious of its duties and the decision taken by it on 7th December, 2023. Had the STF been functioning effectively and discharging its obligations, the present state of affairs would not have enured. The STF is responsible for ensuring strict compliance with its own decisions as well as the orders passed by this Court.

23. Accordingly, the Assistant Commissioner, City-SP Zone, MCD, the DCP (Additional) DCP North, Delhi Police, DCP (Traffic) North, Additional DCP -1, North District, Delhi Police shall convene an urgent meeting tomorrow *i.e.*, **6th November, 2026** at **11:00 AM** to implement their own decisions taken on 7th December, 2023.

24. Three representatives of the Petitioner Society are permitted to participate in the said meeting.

25. Necessary action shall be taken by the said Commissioners to remove all unauthorised and irregular vending activities being carried out on the aforesaid three roads in the Chandni Chowk area and to ensure that no such unauthorised vending or encroachments recur at the three roads *i.e.*, main Road of Chandni Chowk from Red Fort to Fatehpuri, H.C. Sen Marg, Subhash Marg.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45

26. Let a status report be filed by the concerned Commissioners before the next date.

27. The application is allowed and disposed of in these terms.

28. The writ petition is, accordingly, revived to its original number and position.

29. List for hearing on 26th November, 2026.

30. The present order be communicated to the concerned Commissioners through Mr. Sanjay Lao, Standing Counsel (Crl.)

PRATHIBA M. SINGH, J.

DINESH BHATT, J.

NOVEMBER 5, 2026/*dk/sm*

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 11/11/2026 at 11:01:45