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

+ W.P.(C) 7169/2025, CM APPL. 32323/2025, CM APPL. 32324/2025
& CM APPL. 40896/2025

SAROJINI NAGAR MARKET REHARI PATRI HOWKERS
VIKAS SAMITI

.....Petitioner

Through: Mr. Lakshay Sawhney and Mr. Bharat Aggarwal, Advs.
Mob: 9811870224
Email: sslaw316@gmail.com

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.Respondents

Through: Mr. Sriharsha Peechara, SC with Ms. Harshita Gupta, Mr. Soumit Ganguli and Mr. Akhilesh Loya, Advs. for R-1
Mob: 9717466788
Email: shpeechara@gmail.com
Mr. Ashish Mohan, Sr. Adv. with Mr. Hemant Manjani, Mr. Uday Mathur, Advs. for Sarojini Market Shopkeeper Association.
Mob: 9891599840

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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28.07.2025

CM APPL. 32324/2025 (For exemption)

1. Exemption allowed, subject to all just exceptions.
2. Application is disposed of.

W.P.(C) 7169/2025, CM APPL. 32323/2025 (For Interim Directions)

3. The present writ petition has been filed by the petitioner seeking



directions to respondent no. 1-New Delhi Municipal Council (“NDMC”), to remove the illegal encroachment and construction done by the shopkeepers/unit holders/allottees of *Sarojini Nagar Market*, including but not limited to the verandah area, passage area beyond the verandah area and the courtyard area. There is a further prayer seeking directions to NDMC to take immediate action to stop the misuse of the units, which is contrary to the layout plan sanctioned by the NDMC.

4. Issue notice. Notice is accepted by learned counsel appearing for the respondents.

5. Learned counsel appearing for the respondent no. 1 – NDMC submits that a Status Report dated 26th July, 2025 has been filed on their behalf, according to which a survey is being conducted by the NDMC in furtherance to a redevelopment plan for the Sarojini Market. Thus, it is submitted that comprehensive action shall be taken by the NDMC only after the detailed survey has been concluded, which is likely to be completed in the next ten to twelve weeks.

6. Accordingly, let a fresh affidavit/Status Report be filed by the NDMC. In the affidavit, the NDMC shall specifically indicate as to the extent of encroachment by the various shopkeepers, and the action which is sought to be taken by the NDMC against such encroachments.

7. Let the needful be done before the next date of hearing.

8. In case any fresh unauthorized construction/encroachment is being carried out in the market in question, the same shall be stopped by the NDMC forthwith.

9. Re-notify on 31st October, 2025.



CM APPL. 40896/2025 (For Impleadment)

10. The present application has been filed under Order I Rule 10 read with Section 151 of the Code of Civil Procedure, 1908 (“CPC”), on behalf of the Sarojini Market Shopkeepers Association for their impleadment.
11. Learned Senior Counsel appearing for the applicant submits that the presence of the applicant is imperative, since the prayer in the main petition is made against the applicant.
12. Issue notice. Notice is accepted by the non-applicants.
13. Considering the submissions made before this Court, this Court deems it expedient to implead the applicant, i.e., Sarojini Market Shopkeepers Association, as respondent no. 5 in the present writ petition.
14. Let Amended Memo of Parties be filed, within a period of one week, from today.
15. Let reply be filed by the newly impleaded respondent no. 5, before the next date of hearing.
16. Re-notify on 31st October, 2025.

MINI PUSHKARNA, J

JULY 28, 2025/SK