



2025:DHC:10303-DB



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

Date of decision: 21st November, 2025

+ **W.P.(C) 11073/2024 & CM APPL. 56842/2024**

BHARAT BHUSHAN

S/O SHRI BHOLA YADAV,
R/O C-3/151 SULTANPURI NITHARI,
NORTHWEST DELHI, DELHI-110086.

.....Petitioner

Through: Mr. Kotla Harshvardhan,
Mr.Rishbha Arora, Ms. Gayatri
Gupta & Mr.Ritikesh, Adv.
(DHCLSC)

Versus

1. **MUNICIPAL CORPORATION OF DELHI**
THROUGH SHRI ASHWANI KUMAR, COMMISSIONER
HAVING REGISTERED OFFICE AT:
DR. SPM CIVIC CENTRE, MINTO RD,
SKD BASTI, PRESS ENCLAVE, AJMERI GATE,
NEW DELHI, DELHI- 110002.Respondent No. 1

2. **GOVERNMENT OF NATIONAL CAPITAL
TERRITORY OF DELHI**
THROUGH ADDITIONAL CHIEF SECRETARY,
(URBAN DEVELOPMENT)
URBAN DEVELOPMENT DEPARTMENT,
GOVT. OF NCT OF DELHI,
9TH & 10TH LEVEL, DELHI SECRETARIAT,
I.P. ESTATE, DELHI-110002.Respondent No.2
Through: Ms. Shivani Gera, Adv. for MCD.



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CORAM:
HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE
HON'BLE MR. JUSTICE ANISH DAYAL

JUDGMENT (ORAL)

NITIN WASUDEO SAMBRE, J.

1. Heard.
2. Petitioner has sought declaration that the act of not issuing Certificate of Vending (“COV”) and identity card, as well as the failure to conduct the survey of the petitioner, is against the provisions of the Street Vendors Act, 2014.
3. A further mandatory direction is sought to restrain the respondents from creating unnecessary and unlawful obstacles in the smooth functioning of the vending activity of the petitioner, and to comply with the order dated 21st April 2023 by subjecting the petitioner to the survey and issuance of vending certificate and identity card.
4. Pursuant to the notice ordered by this Court, respondent no.1 has placed on record written submissions wherein an assurance is given that respondent-Municipal Corporation of Delhi (“MCD”) is duty bound to conduct itself in accordance with the terms of the affidavit dated 20th January 2023. It has further assured through the written submissions that the present petition can be disposed as the respondent-MCD intends to consider the grievance of petitioner’s claim on priority in the next street vending survey upon his participation in the survey.
5. The fact remains that the counsel for the petitioner in categorical



terms has stated that the petitioner, who is holding a certificate of 100% visual disability, was subjected to survey and the decision at the behest of respondent whether to issue the COV is pending consideration till this date.

6. Apart from above, our attention is invited to the order passed by this Court on 18th November 2024 wherein while tagging this petition with other petition, the Court has taken note of the disclosures which were made on behalf of MCD which reads as under:

“2. We take note of the following disclosure which is made on behalf of the MCD in terms of the Status Report which has been submitted:-

“4. That it is further to mention here, that the Town Vending Committee (TVC) has assured Sh. Bharat Bhushan that as and when the said survey of Street Vendors is being conducted in near future, his issues will be taken into account on a priority basis. That it is relevant to mention here that in the meantime, the said petitioner may carry out vending activity so that his survey could be conducted and he may earn his livelihood by squatting in the area i.e. near Sultan Puri Bus Stand (without erecting any permanent structure / kiosk / khokha). This shall be subject to the condition that petitioner i.e. Sh. Bharat Bhushan shall not erect any permanent structure / khokha / booth etc. He



shall also not cause any encroachment of Right of Way (ROW) or cause any obstruction to pedestrians / movement of traffic, as per the mandate of the Street Vending Act.”

7. As such this Court directed the MCD so also the Delhi Police to act in terms of the stand which is taken by the MCD as referred to and reproduced hereinabove.

8. Furthermore, this Court’s order dated 13th May 2025 in categorical terms injuncted the respondents from evicting the petitioner from the vending spot and permitted him to carry out the vending activities so long as he does not install a permanent structure.

9. Accordingly, he was permitted to participate in the survey being conducted by the Town Vending Committee.

10. In the aforesaid background, what remains to be considered by the respondent-MCD through its Town Vending Committee is that whether post survey, the petitioner can be said to be entitled for the issuance of the COV particularly having regard to his social status as that of 100% visual disability.

11. The petitioner having participated in the survey which is a fact borne out from the record and also from the aforesaid orders, we deem it appropriate to dispose of the present petition by directing the respondent no.1 through its Town Vending Committee to communicate to the petitioner within the reasonable period as regards the issuance of vending certificate in his favour.



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12. In case if the vending committee is of the view that petitioner is not entitled for the vending certificate, a reasoned order to that effect must be communicated to the petitioner.

13. We need not to clarify that till such period the decision is communicated to the petitioner as regards his entitlement for issuance of COV, the interim orders passed by this Court shall continue to operate.

14. The petition, accordingly, stands disposed of in the above terms.

15. Pending application, if any, stands disposed of.

16. Judgment be uploaded on the website of this Court.

**NITIN WASUDEO SAMBRE
(JUDGE)**

**ANISH DAYAL
(JUDGE)**

**NOVEMBER 21, 2025
ab/ss**