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

Date of decision:13th April, 2026

Uploaded on:15th April, 2026

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W.P.(C) 16239/2025

RAJIV KUMAR

.....Petitioner

Through: Mr. Dipak Raj, Proxy Counsel for Mr. Aditya, Mr. Vipin Kumar, Mr. Anjani Kumar Mishra, Mr. Kailash Kumar Jha, Ms. Pralika Chakraborty, Mr. Fareeduddin, Ms. Srejal Mishra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Beenashaw N. Soni, Standing Counsel for MCD with Ms. Mansi Jain, Adv.
Mr. Ritesh Kumar Bahri, APP with Mr. Lalit Luthra, Adv. for State Insp Satya Prakash and Head Constable Ajay Kumar, PS Patparganj Industrial Area
Mr. Anubhav Gupta, Panel Counsel, (Civil) GNCTD with Mr. Siddharth Arora, Advs. for R5

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 10157/2026 (for directions)

2. The present application has been filed by the Petitioner under Section



151 of the Code of Civil Procedure, 1908, *inter alia*, seeking directions to the Respondents to allow the Petitioner to vend from an alternate vending site.

3. A brief background of the Petitioner's case is that, the Petitioner is a tea vendor who had been vending at the spot *i.e.*, on the Footpath, Service Road, Chaudhary Charan Singh Marg, Near ISBT, Anand Vihar, Shahdara South Zone, Ward 18-E, New Delhi.

4. The Petitioner is a person with 78% locomotor disabilities and has been issued a provisional Certificate of Vending (hereinafter 'CoV') for the category 'others'.

5. On 13th February, 2026, when this application was taken up, the Court was informed by the Id. Counsel for the Petitioner that the Petitioner had been ill-treated by one Mr. Anil, Head Constable, P.S. Anand Vihar, on 4th February, 2026. In this regard, Id. Counsel had placed reliance upon certain videos. As per Id. Counsel for the Petitioner, a perusal of the said videos would show that the kettle and other wares of the Petitioners were kicked by the said Constable. Accordingly, this Court *vide* order dated 13th February, 2026 directed as under:

"8. Mr. Ritesh Kumar Bahri, Id. APP be given a copy of the videos by Mr. Aditya. Let Id. APP verify the allegations of ill-treatment of the Petitioner and file a status report.

9. The Id. Counsel for MCD shall seek instructions as to which alternate site the Petitioner can be allowed to vend from.

10. Mr. Anil, Head Constable, P.S. Anand Vihar, shall appear before the Court on the next date of hearing"

6. On 23rd February, 2026, Mr. Ajay Kumar, Head Constable appeared



before the Court along with Mr. Satya Prakash, S.H.O, P.S.Patparganj Industrial Area. After hearing ld. Counsels for the parties and Mr. Ajay Kumar, Head Constable, this Court directed as under:

“8. Police personnel have a critical duty to perform in the city's maintenance of law and order. They render services in extremely strenuous circumstances as well. Their service deserves to be commended. However, there are some personnel who indulge in misbehaviour with citizens which is unpardonable. In this case, as can be seen, the Petitioner was a 78% locomotor disabled person. Pursuant to order passed by this Court dated 22nd January, 2026, all vendors including the Petitioner, who were vending at the ISBT Anand Vihar terminal were to be removed.

9. However, in the process of removal, a video was produced showing that the Petitioner who is a disabled person was ill-treated and kicked by the Constable. This Court is of the opinion that even though the Constable has apologised, the same is insufficient reproach. There is a need to make it evident that such conduct is completely unacceptable.

*10. Bearing in mind the constable's misbehaviour and the apology tendered, the Court deems it appropriate to direct that the Head Constable Ajay Kumar, shall render services in the ISBT, Anand Vihar, Shahdara, New Delhi area, to all disabled passengers, senior citizens, children etc., for a period of **one week between from 7am to 7pm.** All assistance including moving of luggage, alighting from buses, finding transport shall be rendered. Passengers using the terminal who are disabled shall also be rendered assistance by Ajay Kumar by providing them wheel chair as also by finding them public/private transport, etc*

11. The same shall be monitored by Mr. Satya Prakash,



S.H.O, P.S. Patparganj Industrial Area and a status report along with photographs shall be placed on record, by the next date of hearing.

12. A wheel chair shall also be provided by the management of the ISBT to the Head Constable to enable him to render the service.”

7. Today, a status report has been filed by Mr. Satya Prakash S.H.O., P.S. Patparganj stating that Mr. Ajay Kumar, Head Constable in compliance with the previous order dated 23rd February, 2026 has rendered service to several passengers including disabled persons, senior citizens and other individuals. The relevant portion of the said status report along with photographs is set out below:

“1. That the present Status Report is being submitted in compliance of the direction passed by the Hon'ble High Court vide order dated 23.02.2026 whereby it was directed that Head Constable Ajay Kumar shall render services at ISBT, Anand Vihar, Shahdara, New Delhi for a period of one week from 07:00 A.M. to 07:00 P.M. in order to assist disabled passengers, senior citizens and children requiring assistance at the bus terminal.

2. It is respectfully submitted that in strict compliance with the directions of this Hon'ble Court, Head Constable Ajay Kumar duly reported for duty at ISBT, Anand Vihar and rendered services during the stipulated period from 23.02.2026 to 01.03.2026 from 07.00 am to 07.00 PM. During the course of the said duty, the Head Constable actively assisted several passengers including disabled persons, senior citizens and other individuals who required assistance within the bus terminal as well



as outside the premises.

3. It is further submitted that Head Constable assisted disabled passengers by providing and operating wheelchair facilities for their movement. He also assisted elderly persons and other passengers in boarding and alighting from buses so as to ensure their safety and convenience.

4. It is further respectfully submitted that the Head Constable also assisted disabled passengers and senior citizens in locating their respective buses and helped them in arranging appropriate public or private transport wherever necessary.

5. It is submitted that during the said period, Head Constable Ajay rendered assistance to several disabled persons and senior citizens, thereby ensuring that they were able to move comfortably within the terminal premises and access transportation facilities without inconvenience. The services were performed diligently and in the true spirit of the directions issued by the Hon'ble High Court.

6. That photographs depicting the services rendered by Head Constable Ajay Kumar to disabled persons and senior citizens at ISBT, Anand Vihar are annexed herewith for the kind perusal. Submitted please.”

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2026:DHC:3095-DB



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Delhi, Delhi 110092, India
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Monday, 23/02/2026 01:10 PM GMT +05:30



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8. Accordingly, Mr. Ajay Kumar, Head Constable is cautioned that in future any complaint or ill treatment by him would be liable to be dealt with stringent action. The SHO shall report any misdemeanour by him to the DCP of the concerned area for appropriate action.

9. Insofar as the Petitioner is concerned, the Id. Counsel for the MCD submits that subject to the entire renovation plan, which is presently being considered for the Anand Vihar Bus Terminal, the Petitioner is not being disturbed from continuing his vend from the present designated area.

10. It is made clear that the Petitioner shall peacefully vend subject to the finalization of the overall plan for the vending in the Anand Vihar Bus Terminal. The same shall also be subject to the following conditions:

- a) The Petitioner shall restrict himself to a particular space, where he is operating from, and shall not extend/encroach to the pedestrian areas or cause obstruction in movement of pedestrians;
- b) The Petitioner shall also be obliged to maintain cleanliness and hygiene around the vend, which he is working from and shall ensure the presence of a dustbin near the vend; .
- c) It shall be ensured that the Petitioner shall not create any third party interest in this provisional CoV and there shall be a bar on sub-letting or any handing over possession to any third party.
- d) No permanent or temporary construction shall also be erected by the Petitioner.

11. The above stated directions shall be subject to any plan which the Town Vending Committee-II may be coming up with in terms of Section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and no vested rights shall be claimed.



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12. The present petition is disposed of in the said terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

APRIL 13, 2026/ys/ck