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

*Date of decision: 19<sup>th</sup> March, 2026*

*Uploaded on: 20<sup>th</sup> March, 2026*

+ **W.P.(C) 3560/2026**

SURYA LAL GUPTA .....Petitioner  
Through: Mr. Sanjay Baniwal, Ms. Manisha and  
Mr. R. K. Seewal, Advs.

versus

MUNICIPAL CORPORATION OF DELHI .....Respondent  
Through: Ms. Meherunnisa Anand and Mr.  
Sirish Gupta Advs. for MCD.

**CORAM:**  
**JUSTICE PRATHIBA M. SINGH**  
**JUSTICE MADHU JAIN**

**Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-Mr. Surya Lal Gupta under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Municipal Corporation of Delhi (*hereinafter*, 'MCD') to allow the Petitioner to peacefully vend from the vending site in front of Guru Ravidas Mandir, Shahi Hospital Road, Bhogal, New Delhi- 110014, Central Zone, Ward- S- 55 (*hereinafter*, 'the vending site').
3. The brief background of the Petitioner's case is that he is a street vendor who has been vending his wares from the vending site since before 2014. The Petitioner was issued a Certificate of Vending (*hereinafter*, 'CoV') bearing **URI No. 9443735** under the category '**Food/ Snack with Gas Cylinder/ Fire**' by the MCD, for Central Zone, Ward-S-55.



4. However, the grievance of the Petitioner in the present petition is that the concerned officials of the MCD are not allowing the Petitioner to peacefully vend at the vending site.
5. The photograph placed on record by the Petitioner is set out below:

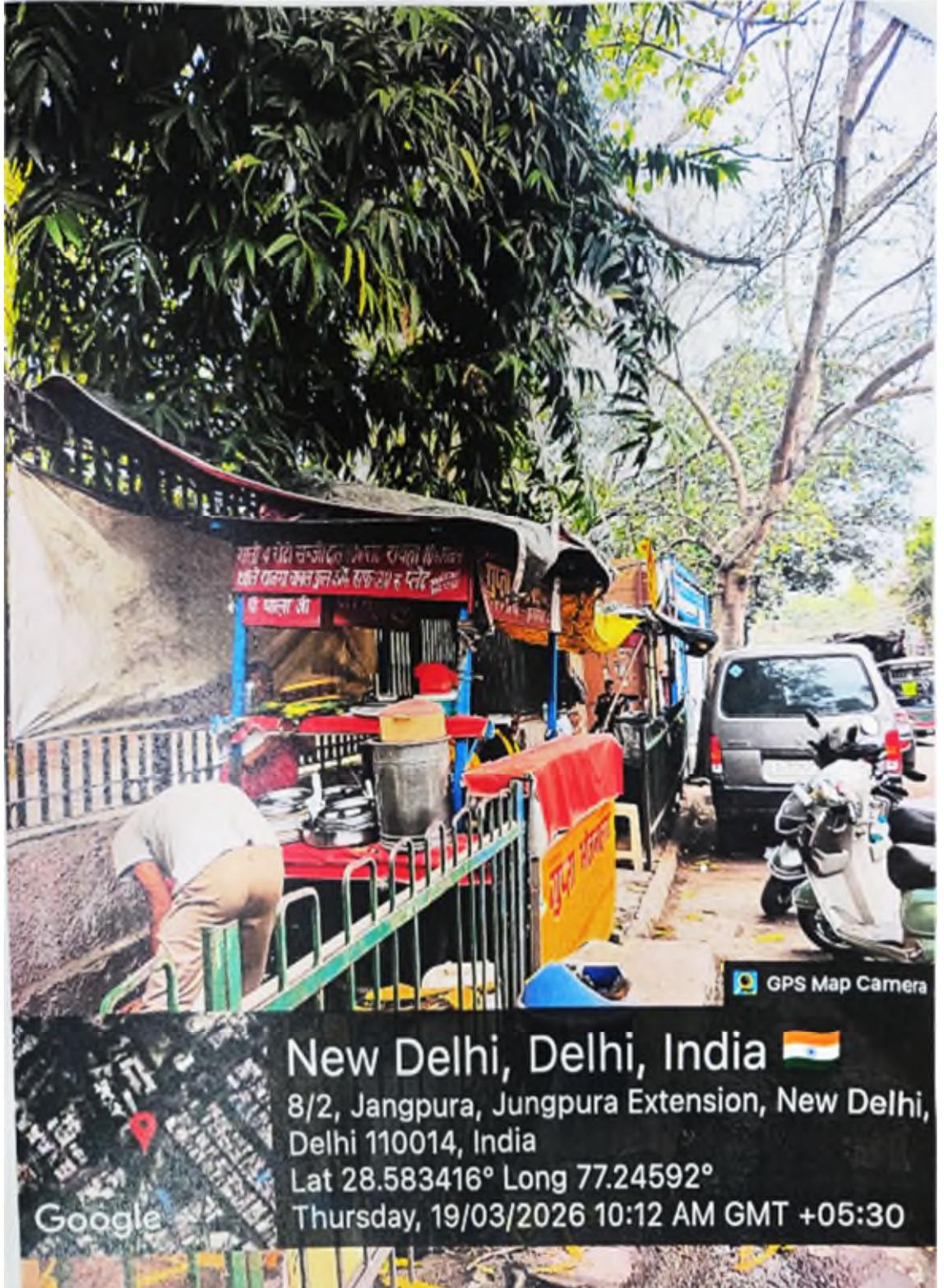




6. On behalf of the Respondent-MCD, Ms. Meherunnisa Anand, Id. Counsel, has placed on record certain photographs to show that various benches and chairs are placed next to the vend of the Petitioner at the vending site. It is further shown that the pavement area at the vending site is blocked and garbage has accumulated and is not being properly cleared by the Petitioner. The requisite standards of cleanliness and hygiene are not being maintained by the Petitioner.

7. The photographs placed on record by the MCD are set out below:







2026:DHC:2343-DB







2026:DHC:2343-DB





2026:DHC:2343-DB





8. The Court has considered the matter. Clearly, there is a bounden obligation upon persons who are running vends to maintain cleanliness around the vend and not completely occupy the pavement or the road in front of the vend.

9. Recently, in a similar matter *i.e.*, in *W.P.(C) 19391/2025* titled *Mohd Badruddin v. Municipal Corporation of Delhi & Ors.*, a vendor with a provisional CoV, who was also entitled to vend 'Food/Snacks with gas cylinder/fire', has been exempted by this Court to comply with Condition No.



11 of the CoV.

10. The said Condition No. 11 of the COV reads as under:

*“11. Mobile vendors shall not stay or vend more than 30 minutes or time prescribed by the TVC at place in a vending/squatting zone.”*

11. After hearing Id. Counsels appearing for the parties and perusing the CoV of the Petitioner, as also the photographs, this Court is inclined to pass directions as have been passed in similar matters being ***W.P.(C) 19391/2025*** titled '***Mohd Badruddin v. Municipal Corporation of Delhi & Ors.***', ***W.P.(C) 15082/2025*** titled '***Rajendra Singh v. Commissioner of Police and Ors.***' and in ***W.P. (C) 1609/2026*** titled '***Rihana v. MCD & Ors.***'

12. Since the category of the Petitioner is '***Food/ Snack with Gas Cylinder/ Fire***', the Petitioner is permitted to run the vend at the vending site, subject to the following conditions:

- i. The Petitioner shall be permitted to operate his vend, but shall use a gas cylinder which does not occupy too much space. It is made clear that only a small or medium sized gas cylinder for heating of food and snacks shall be used by the Petitioner;
- ii. 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;
- iii. 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;
- iv. Subject to the above, Condition No.11 in the CoV shall not apply



to the Petitioner. The Petitioner shall comply with all the other conditions in the CoV.

- v. 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.
- vi. No permanent or temporary construction shall also be erected by the Petitioner.

13. If there is any violation of the aforesaid conditions by the Petitioner and if the Petitioner puts up benches or chairs or does not keep the vending site clean, the MCD is at liberty to remove the vend of the Petitioner in accordance with law.

14. 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.

15. Let a few surprise inspections be conducted by the concerned officials of the MCD and a compliance report be filed in this regard.

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

17. List for compliance on 22<sup>nd</sup> May, 2026.

**PRATHIBA M. SINGH  
JUDGE**

**MADHU JAIN  
JUDGE**

**MARCH 19, 2026/b/sm**