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

*Date of decision: 25<sup>th</sup> May, 2026*

*Uploaded on: 26<sup>th</sup> May, 2026*

+ **W.P.(C) 7420/2026 & CM APPL. 36117/2026**

UDAL

.....Petitioner

Through: Ms. Renu, Proxy Counsel  
Mr. Firoz Alam, Proxy counsel

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Sandeep Tyagi, Adv. (*through*  
VC)  
Ms. Sweety Kumari, Proxy Counsel

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE MADHU JAIN**

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

1. This hearing has been done through hybrid mode.
2. Lawyers of the Delhi High Court Bar Association (DHCBA) are abstaining from work today.
3. The present petition has been filed by the Petitioner- Udal, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to allow the Petitioner to peacefully vend at his designated spot i.e., Kashmere Gate, opposite Tata showroom, New Delhi, City – SP Zone, Ward No. 83-N.
4. The Petitioner holds a Certificate of Vending bearing no. URI 3853167 (hereinafter ‘COV’) under the category of ‘Food /Snack with gas



*cylinder/fire*' issued by the Respondent No 1. It is prayed by him that he be allowed to peacefully vend at his vending spot.

5. On behalf of the MCD, it is submitted that the place where the Petitioner is vending from is a no vending location.

6. Accordingly, let the Assistant Commissioner, MCD of the concerned area identify the space from where the Petitioner can vend. Upon such location being identified, the Petitioner shall move there immediately and shall vend from the said allocated spot only.

7. Further, this Court has dealt with similar matters falling under the same category of '*Food/ Snack with gas cylinder/fire*'. 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.

8. 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.”*

9. 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.

10. 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.

11. Subject to the above, the Petitioner shall not be disturbed from running his vend.



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12. The petition is disposed of in the above terms. Pending applications, if any, stand disposed of.

**PRATHIBA M. SINGH  
JUDGE**

**MADHU JAIN  
JUDGE**

**MAY 25, 2026/ys/sm**