



\$~79

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

Date of decision: 26th May, 2026

Uploaded on: 27th May, 2026

+ **W.P.(C) 7642/2026 & CM APPL. 36935/2026**

CHANDER BHAN

.....Petitioner

Through: Mr. Kamlesh Kumar Mishra, Mr.
Swagat Gupta, Ms. Renu and Mr.
Navy Charlie, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Beenashaw N. Soni, Standing
Counsel, MCD with Ms. Ann Joseph,
Advs.
Mr. Neeraj Dubey, SPC for R3 to R5.

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, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend at his designated spot *i.e.*, near Kashmere Gate Metro Station Gate No.8, New Delhi.
3. The Petitioner is a vendor who has been issued the Certificate of Vending (hereinafter, 'CoV') URI No.: 9463924 under the category "**Food/ Snack without gas cylinder/ fire**".
4. The photograph of the vend has been placed on record which is



extracted below:



5. Ld. Counsel for the Petitioner submits that he has been repeatedly harassed though he is a mobile vendor.



6. Ld. Counsel for the Respondent- MCD submits that the actual site would show that the Petitioner is using two gas cylinders, which is impermissible and is also occupying more area than what is permissible. Further, the Petitioner’s vend is also operating in a non-vending zone. The photographs handed over by Id. Counsel for the MCD is set out below:





7. Ld. Counsel for the Delhi Police also submits that various allegations have been made against the police.
8. Under these circumstances, after hearing ld. Counsels for the parties, it is directed that the Assistant Commissioner, MCD of the concerned area shall identify the space/area from where the Petitioner can vend. Upon such identification being made, the Petitioner shall move his cart and only shall vend from the allocated area/spot.
9. The Petitioner is in the category of “*Food/ Snack without gas cylinder/ fire*”. Under these circumstances, the vend as being run would not be permissible as the same would be in complete contravention of the terms and conditions of the CoV.
10. At this stage, ld. Counsel for the Petitioner submits that the Petitioner would vend strictly in accordance with the terms and conditions. Accordingly, the following directions are issued :-
- i. The Petitioner shall move to the spot/area as identified by the Assistant Commissioner, MCD and shall not vend in a no vending-zone.
 - ii. He shall not be permitted to use a gas cylinder or fire. He shall strictly vend in accordance with the terms and conditions of the provisional CoV.
 - iii. 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
 - iv. No permanent or temporary construction shall also be erected by the Petitioner.
 - v. The vendor shall be obliged to maintain cleanliness.



2026:DHC:4798-DB



11. Subject to above, the Petitioner shall not be disturbed from running his vend.
12. 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.
13. The Petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

MAY 26, 2026/b/msh