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

Date of decision: 1st October, 2026.

Uploaded on: 5th October, 2026.

CNR No. DLHC010477442026

+ **W.P.(C) 14696/2026**

RAJENDRA KUMAR SHARMA

.....Petitioner

Through: Mr. Aditya, Advocate.
versus

**MUNICIPAL CORPORATION OF DELHI AND
ORS**

.....Respondent

Through: Ms. Meherunnisa A. Jaitley Adv. with
Mr. Aryan Tyagi Adv. for MCD.
Mr. Sunil Goyal ASC for MCD along
with Ms Tanveet Kaur Advocate for
R-1 and 2.
Mr. Sanjay Kumar Pathak Standing
Counsel with Mr. Sunil Kumar Jha,
Mr. M.S. Akhtar and Mr. Sanjeet
Kumar Patwari, Advs. for R-3.

**CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT**

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The Petitioner has filed the present petition under Article 226 of the Constitution of India being aggrieved by the seizure of his cooking



utensils/pots and other food materials from his vending cart on 22nd September, 2026.

3. This is the second writ petition filed by the Petitioner. In the earlier writ petition being **W.P.(C) No. 10296 of 2026** titled **Rajendra Kumar Sharma v. Municipal Corporation of Delhi and Ors**, the Petitioner was permitted to vend in the following terms:-

“6. Heard Id. Counsel for the parties. A perusal of the photographs handed over by the Id. Counsel for the MCD would show that the area surrounding the vend of the Petitioner is extremely unhygienic and the Petitioner is occupying much more space than is permissible. Even the tandoor, etc. and the other utensils are not being maintained as per the terms and conditions mentioned in the CoV. The terms and conditions of the CoV have to be strictly adhered to and the same are extracted below:

“1. Vendor shall not have any other permanent or long-term vending certificate.

2. Vending certificate is non-transferable.

3. It is mandatory for the vendor to follow the vending period and zone as determined by TVC or local body.

4. Vendor shall not give his vending certificate on rent in any way.

5. Vendor shall not have any infectious disease.

6. Vendor shall have to take care of hygiene on vending place/zone and nearby area and also take care of public health.

7. Vendor shall display copy of vending certificate on his place/vending site and will produce original documents to TVC/concerned inspector whenever required.



8. Vendor/Squatter shall insure that no hindrance be caused to pedestrian and vehicular moment.
 9. Vendor shall not vend/sell any harmful, dangerous and polluted items. It should also be ensured that the quality of the products sold and services provided to the public conform to the prescribed standards of public health, hygienic conditions and safety.
 10. The street vendor shall not do any unauthorized/illegal activity.
 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.
 12. Vendors will not block footpaths and will not vend on roads. Vendor should take care of space in front of vending stalls/counters on footpath for pedestrians.
 13. Vending certificate can be cancelled or suspended on the basis of violations.
 14. Vendor shall not build or construct any kind of permanent or temporary structure at vending site.
 15. Seller shall adopt health and hygiene conditions as required by local laws and court orders.
 16. Vendor have to follow all the conditions mentioned in Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019”
7. The Petitioner is clearly misleading the Court. Accordingly, the Petitioner is not entitled to any relief. The Authorities are free to proceed against the Petitioner in accordance with law. If the Petitioner is willing to vend strictly in terms of the CoV issued to him, the same shall be permitted.
8. After having seen the photographs in this case, it



is clear that the area surrounding the vend of the Petitioner also requires some repair. Accordingly, after action is taken against the Petitioner, the entire footpath and road shall be repaired and photographs showing the same would be placed on record. If the maintenance of the road and the footpath in the said area are with any other agency such as the Public Works Department, etc. then the said agency shall undertake the repair drive.”

4. Vide the said order, this Court had noted that the Petitioner had misled the Court and accordingly, the Petitioner was not entitled to any relief and the Authorities were free to proceed against the Petitioner in accordance with law. Therefore, the Petitioner was permitted to vend strictly in terms of the Certificate of Vending bearing no. URI No. 1162365 issued to him by the Municipal Corporation of Delhi (*hereinafter* ‘MCD’). The Court had further directed that after action is taken against the Petitioner, the entire footpath and road shall be repaired and photographs showing the same would be placed on record.
5. At present the case of the Petitioner is that his goods were seized on 22nd September, 2026 and the same have not been returned.
6. Ms. Meherunissa A. Jaitley, Id. Counsel for the MCD has handed over certain photographs and the notice which was pasted in the MCD’s office.
7. Id. Counsel for the MCD submits that the MCD is abiding by the orders passed by this Court. It is contended that the photographs and seizure memos of the said vend have been prepared. The seizure memo has been put up on the notice board.
8. It is the case of the MCD that in this area, several vendors were vending and the MCD, owing to the cleanliness drive which they wanted to undertake



around Gandhi Jayanti, had asked all the vendors to move for 2 hours so that the area and the footpath could be cleaned. The Ld. Counsel for MCD submits that when the fumigation drive will be undertaken whenever it is due, even then the street vendors will be requested to move.

9. However, the vendors refused to move which led to seizure of the goods.

10. Heard. Vendors in the city have a duty to co-operate with the MCD, the local police and the Authorities whenever the sanitation or cleanliness drive has to be undertaken.

11. Vendors also have an obligation to keep the area where they are vending clean, which we do not find to have been violated by the Petitioner herein as the cart was quite clean as is evident from the photographs placed before this Court.

12. However, if the concerned officials of the MCD and the Delhi police intend to undertake a sanitation drive, the vendors are expected to co-operate, failing which the MCD officials have no option but to seize the goods.

13. After the seizure, a very nominal fee has been imposed by the MCD in respect of licensed and unlicensed vendors. The Petitioner shall be treated as a licensed vendor and the fine shall be imposed accordingly. Thereafter, the Petitioner is free to obtain the seized goods after paying the requisite fine.

14. In future, an undertaking is recorded from the Petitioner that he shall co-operate with the MCD and the police authorities whenever such cleanliness and sanitation drives are to be undertaken.

15. If the Petitioner still has any grievances, he is free to avail of his remedies in accordance with law.



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16. With these observations, the petition is disposed of, pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**DINESH BHATT
JUDGE**

**OCTOBER 1, 2026
MR/AS**

Signature Not Verified

Signed By: KAMLA
RAWAT
Signing

Date: 05.10.2026 18:04

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