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

Date of Decision: 2nd November, 2026
Uploaded on: 4th November, 2026

\# **CNR No. DLHC010484342026**

\+ **W.P.(C) 14861/2026**

PUSHPA & ANR. .....Petitioners

Through: Mr. S. Sasi Bhusan & Ms. K. Sandhya Rani, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ANR. .....Respondents

Through: Ms. Puja S Kalra, Standing Counsel with Mr. Virendra Singh, Adv. for MCD. (M:9312839323)

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

2. The present petition has been filed by the Petitioners under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioners to peacefully vend from the designated site.

3. The case of the Petitioners is that they have certificates of vending (hereinafter '*CoV*'), details of which are set out below:

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Sr. No.	Name	Vending No.	Category	Zone
1.	Pushpa	URI: 8185826	Food/Snack with gas cylinder/fire	Central Zone, Ward-S 60
2.	Shajahan	URI: 3654640	Food/Snack with gas cylinder/fire	Central Zone, Ward-S 60

4. The grievance of the Petitioners is that the police authorities and Municipal Corporation of Delhi (hereinafter '*MCD*') are not permitting them to vend peacefully.

5. At present, no photographs of the Petitioners' vends have been filed.

6. The Petitioner's counsel submits that, the Petitioners are not vending anywhere, hence no photographs have been placed on record.

7. Under these circumstances, let the Petitioners appear before the Assistant Commissioner, Central Zone, Ward S-60 on **27th November, 2026** at **2:30 p.m**.

8. Considering that the Petitioners have CoVs in the category of *food, snack with gas cylinder fire*, the Assistant Commissioner shall identify the site at which the Petitioners can vend. Upon identification of the site, the Petitioners can peacefully vend at the identified size subject to the terms and conditions of their CoVs, which are set below:

> *"1. The vendor must not have been issued any other permanent or long-term Certificate of Vending.*
> *2. The Certificate of Vending shall be non-transferable.*
> *3. The vendor must comply with the vending period and zone prescribed by the TVC (Town Vending Committee) and the local authority.*
> *4. The vendor shall not rent out or sublet the Certificate of Vending in any manner whatsoever.*
> *5. The vendor must not be suffering from any*

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communicable disease at present.

6. The vendor shall maintain cleanliness at the vending site/zone and the surrounding area and shall ensure that public health is duly taken care of.

7. The vendor shall prominently display a copy of the Certificate of Vending at the vending site and whenever required, shall produce the original document before the TVC/relevant Inspector.

8. The street vendor shall make all reasonable efforts to ensure that pedestrians and vehicular traffic are not obstructed in any manner.

9. The vendor shall not sell any harmful, hazardous or polluted/contaminated items. It shall also be ensured that the quality of products sold and services provided to the public conforms to the prescribed public-health, hygiene and safety standards.

10. The street vendor shall not carry out any unauthorized/illegal activity.

11. A mobile vendor shall not remain at any place in a hawking/vending zone for more than 30 minutes or beyond the time prescribed by the TVC, nor shall any vending activity be carried out thereafter. The vendor shall not remain in any non-vending zone or carry out any vending activity there.

12. The vendor shall not block the footpath and shall not carry out vending activities on the roads. Care shall be taken to keep the pedestrian passage on the footpath in front of vending counters/stails clear.

13. On the basis of violations, the Certificate of Vending may be cancelled or suspended.

14. The vendor shall not erect/construct any permanent or {temporary structure at the vending site.

15. The vendor shall adopt health and hygienic conditions in accordance with local laws and the orders of the courts.

16. The vendor shall comply with all the conditions mentioned in the Delhi Street Vendors Livelihood Protection and Street Vending Regulation Scheme,

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2019, prescribed by the Government of Delhi."

9. Considering the category of the Petitioners' CoVs, the Petitioners shall also be bound by the following terms and conditions:

(i) The Petitioners shall abide by the terms and conditions of the provisional CoVs;

(ii) The Petitioner shall be permitted to operate their vend, but shall use a gas cylinder which does not occupy too much space. It is made clear that only a small gas cylinder for heating of food and snacks shall be used by the Petitioner;

(iii) The Petitioner shall restrict themselves to a particular space which shall not in any manner cause obstruction to the movement of pedestrians or cause any traffic congestion to vehicular traffic on the roads;

(iv) The Petitioner shall also be obliged to maintain cleanliness and hygiene around the vend, which they are working from and shall ensure the presence of a dustbin near the vend;

(v) Subject to the above, Condition No.11 in the CoV shall not apply to the Petitioners. The Petitioner shall comply with all the other conditions in the CoV;

(vi) 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;

(vii) No permanent or temporary construction shall also be erected by the Petitioners.

10. Upon the site being identified, the Petitioners shall be permitted to

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peacefully vend, subject to compliance of the above conditions.

11. The present order shall be subject to the decision of the TVC-II after being constituted.

12. Further, the above stated directions shall be subject to any vending 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 these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

NOVEMBER 2, 2026
dj/as

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