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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 4th August, 2026******Uploaded on: 7th August, 2026***# **CNR No. DLHC010352612026**+ **W.P.(C) 10968/2026**

MOHAMMAD NASEEMPetitioner

Through: Mr. Dipak Raj, Advocate.

versus

COMMISSIONER OF POLICE AND ORSRespondents

Through: Mr. Amit Dogra, SPC with Mr. Manish Rawat, GP, Mr. Mohit and Mr. Srishtu Singh, Advocates for R-1 and 2.

Mr. Tarveen Singh Nanda, Mr. Ankur Mishra, Mr. Gaurav Aggarwal, Mr. Gurpreet Singh and Mr. Asish Nain, Advocates for DCB.

Ms. Vaishali Gupta (Panel Counsel for GNCTD) and Ms. Aanchal Rajput Adv. for R-5.

CORAM:**JUSTICE PRATHIBA M. SINGH****JUSTICE VIKAS MAHAJAN****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner - Mohammad Naseem under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from the designated site *i.e*, on the open space, near Indian Oil Petrol Pump, Palam Dwarka Road, Palam Fatak, Delhi Cantt.



3. The Petitioner is a vendor who has been issued a Certificate of Vending (hereinafter, 'CoV') bearing No. 180 issued by the Delhi Cantonment Board (hereinafter, 'DCB'). The case of the Petitioner is that he is not being allowed to peacefully vend and thus, the prayer is for stopping the harassment which the Petitioner is facing. The Petitioner is stated to be selling tender coconut water and other eatable items.
4. Mr. Tarveen Singh Nanda, Id. Counsel for the DCB submits that the Petitioner is not being disturbed, however, the Petitioner has to completely adhere to the terms and conditions of the CoV issued to him.
5. The Court has considered the matter. A perusal of the CoV issued to the Petitioner would show there are conditions attached with the same which are as under:-

“1. Only the street vendor holding the temporary vending certificate will set up his stall. If there is another vendor on the stall, then temporary vending certificate will be cancelled.

2. The street vendor will not set up his stall near Bus Stops, Red Light, Green Belts, crowded areas, public toilets and areas prohibited by the Army/Navy/Air Force/Delhi Cantonment Board.

3. The street vendor will ensure cleanliness at the place of Vending and the surrounding area and will take care of public hygiene.

4. The street vendor will not sell any harmful, dangerous and polluting items. The quality of the products sold and the services provided to the public should be in accordance with the prescribed public health standards.

5. The street vendor will not do any unauthorized/illegal activity.

6. The street vendor will not occupy or block any place



which is prohibited for street vending.

7. The street vendor will not block the footpath or vend on the roads.

8. The street vendor will not construct any temporary/permanent structure at the place of vending or give on rent and will not cause any damage to public property.

9. The street vendor will not throw any waste material or garbage in the drains, on the roadside, in open areas or at any unauthorized place.

10. The vendor will set up his cart at the same place at present, where he used to set up his cart during the survey. If any change or work is going on at that place by government agencies, then it can be shifted to another place if available.

11. In case of violation of -the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, Cantonment Act, 2006 and the above rules, the certificate can be cancelled along with other legal actions.”

6. The photograph of the vend of the Petitioner is also set out below:-



7. The Petitioner being a CoV holder cannot be disturbed from carrying out his vending activities, so long as he adheres to the terms and conditions of vending. Considering the nature of the vending activities of the Petitioner, and the area where vending is being carried out, the Petitioner shall also abide by the following conditions:-

- a) 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;
- b) 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;

c) No permanent or temporary construction shall also be erected by the Petitioner;

8. Subject to the Petitioner fully adhering to the terms and conditions of the CoV issued to him as also mentioned above, the vending activity of the Petitioner shall not be disturbed.

9. Petition is disposed of with these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

AUGUST 4, 2026/MR/CK