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

Date of decision: 6th November, 2026
Uploaded on: 10th November, 2026

\# **CNR No. DLHC010544262026**

\+ **W.P.(C) 16720/2026**

SATENDER SAH .....Petitioner

Through: Mr. Sanjay Baniwal and Mr. Manisha, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS. .....Respondent

Through: Mr. Rajesh Kumar, SPC for UOI & Mr. Nimit Kumar, Adv. for R-2 &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 present petition has been filed by the Petitioner - Satender Sah 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.*, near F-9, Kamla Nagar market, Delhi 110007 (Kesav Puram, Ward- 78- N).

3. The Petitioner, who is a street vendor has been issued a *provisional* Certificate of Vending (hereinafter '*CoV*') bearing no. ***URI No. 2717642*** by the Municipal Corporation of Delhi (hereinafter, *'MCD'*) in the category of *'Fresh fruits/vegetables/Perishables'*.

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4. It is the case of the Petitioner, that he has been vending under the category of *'Food, snack with gas cylinder'* from the designated site, however, pursuant to the survey, his category has been wrongly mentioned as *'Fresh fruits/vegetables/Perishables*and

5. The photograph of the vend of the Petitioner has been set out below:



6. It is also the case of the Petitioner that he had made a representation dated 21st October, 2026 to the MCD that this category may be changed and that he is be considered as a stationary vendor. However, the same has not been considered.

7. The Court has considered the matter. The CoV of the Petitioner does

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not permit the Petitioner to vend in the category of *'Food, snack with gas cylinder'*. The Petitioner is under an obligation to abide by the terms and conditions of the CoV which are as under:

> *"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.*

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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"

8. If the Petitioner does not abide by the terms and conditions of the CoV, the MCD is free to take action in accordance with law.

9. Additionally, this Court has recently considered a similar matter wherein a vendor namely, Mr. Anil Kumar was also vending in Kamla Nagar area and certain directions have been passed in ***W.P. (C) 7593/2026*** titled ***Anil Kumar v. Municipal Corporation of Delhi and Ors.***

10. Considering that the Kamla Nagar area is held to be a 'No-Vending Zone' and 'Non-Squatting Zone' as also the order dated 26th May, 2026 passed in ***Anil Kumar (Supra)***, the following directions are issued in the present case:

i) The concerned Assistant Commissioner, MCD shall identify an area where the Petitioner can put up his vend within one week and communicate the same to the Petitioner;

ii) The Petitioner shall restrict himself to the area, where he is operating from, and shall not move into a No-Vending area. He shall also 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

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hygiene around the vend, which he is working from and shall ensure the presence of a dustbin near the vend; and

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

11. 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

12. Insofar as the representation dated 21st October, 2026, pertaining to the change of category is concerned, the said issue is to be considered by Town Vending Committee-II, upon being constituted, and the same be decided within three months.

13. No further relief is to be granted to the Petitioner.

14. The present petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

NOVEMBER 6, 2026
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