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

Date of Decision: 10th August, 2026

Uploaded on: 11th August, 2026

CNR No. DLHC010325962026

+ **W.P.(C) 10152/2026**

MAHAJAN GUPTA

.....Petitioner

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

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS.**

.....Respondents

Through: Ms. Meherunnisa A. Jaitley & Mr.
Aryan Tyagi, Adv. for MCD.
Mr. J K Tripathi SPC with Sh. Krishna
Chaitanya, Adv. for R2 & 3.
Mr. Krishna Chaitanya, Govt. Pleader.

**CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE VIKAS MAHAJAN**

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The Petitioner has a provisional *Certificate of Vending* (hereinafter "*CoV*") bearing no. URI 3706588 under the category '*Food/ Snack without gas cylinder/ fire*'. The prayer of the Petitioner is that the Respondents ought not to disturb his vending activities at R Satya Niketan, Durga Bai, Deshmukh Chowk, Gate No. 01 (South Zone, Ward S - 64). The photograph of the vend of the Petitioner is set out below:



3. On the last date *i.e.*, 24th July, 2026, notice was issued in this matter and the Id. Counsel for the MCD was to take instructions and file a status report.
4. A status report is presented today in terms of which, the Petitioner is vending opposite Sri Venkateswara College and the mobile cart is also stated to be situated next to an underpass and below a foot over bridge.
5. It is submitted by Id. Counsel for the MCD that the Petitioner is also vending tobacco products near the college which would not be permissible. It is also submitted that the Petitioner would have to operate as a mobile vendor in terms of the provisional CoV terms and conditions. The photograph of the Petitioner's vend attached with the status report is as under:



6. The Petitioner submits that he has made a representation dated 6th May, 2026 to change the nature of the vend from mobile to stationary.

7. The Court has considered the matter. The photograph above would show that the Petitioner's cart would create obstruction for pedestrians from walking on the footpath.

8. The Petitioner is also bound by the terms and conditions of the CoV and the same ought to be strictly complied with. For the sake of convenience,



the said terms and conditions are extracted hereunder:

- “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. Vendors have to follow all the conditions mentioned in Delhi Street Vendors (Protection of Livelihood and*



Regulation of Street Vending) Scheme, 2019.”

9. In view of the above, the following directions are passed:
- i. The Petitioner shall operate as a mobile vendor.
 - ii. The Assistant Commissioner of the concerned area shall identify within one week a suitable space and area where the Petitioner can vend in terms of the conditions imposed in the provisional CoV. The same shall be communicated to the Petitioner.
 - iii. In the meantime, the Petitioner shall immediately move to the nearby location in a manner so as to ensure that there is no congestion which is caused to the pedestrians.
 - iv. The Petitioner shall restrict himself to the particular area identified by the Assistant Commissioner, and shall not extend/encroach to the pedestrian areas or cause obstruction in movement of pedestrians;
 - v. 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;
 - vi. No permanent or temporary construction shall be carried out by the Petitioner.
 - vii. The rights in the CoV shall also not be sub-licensed or sub-let in any manner.
10. 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.



11. Insofar as the representation dated 6th May, 2026, of the Petitioner is concerned, the same shall be considered by the new Town Vending Committee within six weeks after its constitution.
12. Subject to the above, the Petitioner shall not be disturbed from carrying out his vending activities.
13. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

AUGUST 10, 2026
dj/msh