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

Date of decision: 11th February, 2026

Uploaded on: 16th February, 2026

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W.P.(C) 17496/2025

KHURSIDA PRAVEEN

.....Petitioner

Through: Mr. Aditya, Mr. Kailash Kumar Jha, Mr. Anjani Kumar Mishra, Mr. Vipin Kumar, Mr. Fareeduddin and Ms. Srejal Mishra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Puja S. Kalra, Standing Counsel for MCD
Mr. Rajesh Kumar, Senior Panel Counsel with Mr. Sumit, GP for R2 and R4

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Khursida Praveen under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to allow the Petitioner to peacefully vend at her designated spot *i.e.*, on the footpath, Astha Kunj Road, near Nehru Place Metro Station Gate No.1, Nehru Place, South Zone, Ward-S-86, New Delhi.
3. The Petitioner has a provisional Certificate of Vending (hereinafter, 'COV') bearing URI No. 1441161 in the category of '***Food Snacks without gas cylinder/fire***'. A photograph has been placed on record by the Petitioner which



is set out below:



4. It is submitted by Mr. Aditya, Id. Counsel for the Petitioner that the Petitioner be permitted to vend without being disturbed and harassed by the Respondents.

5. On behalf of Municipal Corporation of Delhi (hereinafter, 'MCD'), Ms. Kalra, Id. Counsel submits that the photograph placed on record by the Petitioner is misleading and in fact, the Petitioner has allowed another person to vend with her and that too in a No-vending zone, in front of the Nehru Place Metro Station.



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The photographs handed over by Ms. Kalra, Id. Counsel are set out below:





6. After having perused the photographs handed over by the Id. Counsel for the MCD, it is clear that proper photographs have not been placed before this Court by the Petitioner. Be that as it may, the Petitioner shall move away from this No-vending zone. However, considering that the Petitioner is disabled, she is permitted to vend subject to following terms and conditions:

- a) The Petitioner shall not be permitted to use any gas cylinder.
- b) The Petitioner shall restrict herself to a particular space, where she is operating from, and shall not extend/encroach to the pedestrian areas or



cause obstruction in movement of pedestrians;

- c) The Petitioner shall also be obliged to maintain cleanliness and hygiene around the vend, which she is working from;
 - d) Subject to the above, Condition No.11 in the COV shall not apply to the Petitioner. The Petitioner shall comply with all the other conditions in the COV.
 - e) 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.
 - f) No permanent or temporary construction shall also be erected by the Petitioner.
7. 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.
8. In addition, it is directed that MCD is free to take action against the other vendor who can be seen in the photographs above, in accordance with law, if no rights exist in his favour.
9. The present petition is disposed of in the said terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

SHAIL JAIN
JUDGE

FEBRUARY 11, 2026/ys/ck