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

Date of decision: 13th July, 2026

Uploaded on: 15th July, 2026

+ **W.P.(C) 6717/2026, CM APPL. 32994/2026, CM APPL. 32995/2026**
TRILOKI PODDARPetitioner

Through: Ms Shruti Mujal and Ms. Trisha
Dhara, Advs.

versus

GOVERNMENT OF NCT OF DELHI & ANR.Respondents

Through: Ms. Meherunnisa A. Jaitley, Mr.
Aryan Tyagi & Ms. Urvi Mohan,
Advs. for GNCTD.

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- Mr. Triloki Poddar under Articles 226 and 227 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from the vending site near Ajmeri Gate Railway Station, (*hereinafter*, 'the vending site').
3. The case of the Petitioner is that he is a street vendor who has been vending from the said vending site for several years. The Petitioner has 75% locomotor disability. In this regard, reliance is placed on the Disability Certificate from Aruna Asaf Ali Government Hospital, New Delhi.
4. The Petitioner has been issued a Certificate of Vending (*hereinafter*,



‘CoV’) bearing **URI No.: 5325041** under the category of **‘Food/ Snack with gas cylinder/ fire’** for City-SP Zone, Ward 88-N.

5. The grievance of the Petitioner in the present petition is that he has been repeatedly subjected to harassment by the Respondents, thereby preventing him from carrying on his vending activities in a peaceful manner.

6. The photographs of the Petitioner’s stall have been placed on record by the Petitioner. The same are set out below:





7. Ld. Counsel for the Petitioner submits that directions may be issued to the concerned authorities, to not harass the Petitioner and to allow him to carry out his vending activities peacefully.

8. Ms. Meherunnisa A. Jaitley, Id Counsel for the Municipal Corporation of Delhi (*hereinafter*, 'MCD'), on the other hand, has handed over various photographs of the Petitioner's vending site to demonstrate the following:

- (i) No cleanliness is being maintained by the Petitioner at the Vending site;
- (ii) The drain near the vending site is being repeatedly blocked;
- (iii) The stall has been extended by the Petitioner much beyond the actual cart itself;
- (iv) The Petitioner has occupied an extensive portion of the public space by placing stools outside the cart and operating what is, in

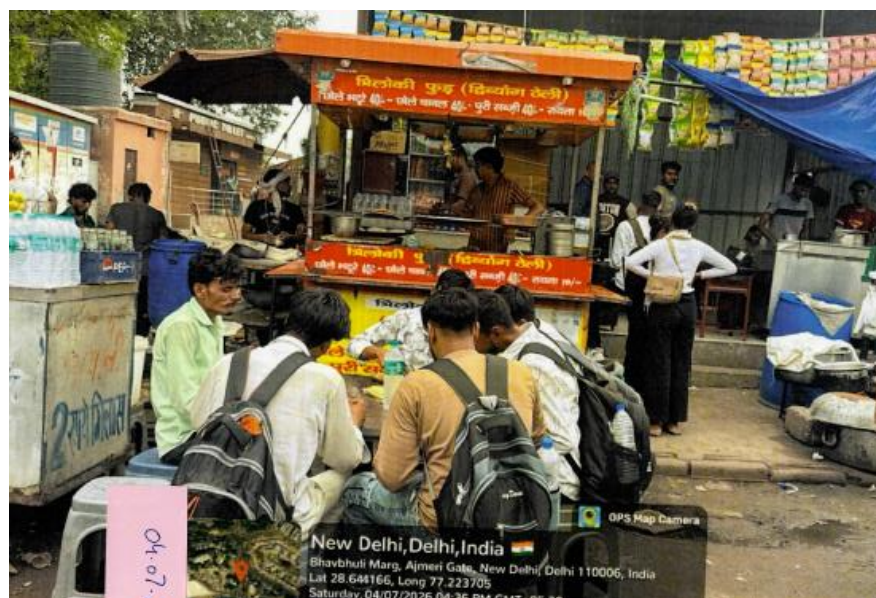


effect, a mini café on the footpath.

9. The relevant photographs which have been placed on record by the Id. Counsel for the MCD are set out below:









10. The Court has heard the Id. Counsels for the parties and perused the photographs.

11. A perusal of the photographs placed on record by the MCD reveals that access to various public conveniences located in the vicinity has been obstructed by the plastic seats placed by the Petitioner, outside the vending cart.

12. The photographs placed on record also indicates that the vending site is not being maintained in a clean and hygienic conditions and that the Petitioner has expanded the vending area beyond the permitted cart by placing several tables, water vending container and other articles, all of which are contrary to the terms and conditions of vending. The submission on behalf of the MCD is thus justified.

13. Moreover, the photographs indicate that the dustbins which have been



placed near the vending site are not being maintained in a clean condition.

14. Further, the entire footpath appears to have been occupied by the Petitioner's vending cart and the ancillary articles placed around it, which is impermissible.

15. Under these circumstances, this Court is of the opinion that the Petitioner cannot be permitted to continue occupying the present site in the manner in which it is presently being used. Accordingly, the Petitioner shall be relocated from the existing site.

16. Let the Assistant Commissioner, MCD, identify a suitable alternative vending site in the vicinity of the present location from where the Petitioner can carry on his vending activities within one week from this order.

17. The Petitioner shall, in addition, comply with the following conditions:

- i. The Petitioner shall be permitted to operate his 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;
- ii. 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;
- iii. 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;
- iv. It shall be ensured that the Petitioner shall not create any third-party interest in this CoV and there shall be a bar on sub-letting or any handing over possession to any third party.



v. No permanent or temporary construction shall also be erected by the Petitioner.

18. Furthermore, the Petitioner shall also adhere to the terms and conditions of the CoV. If any violation is found, action would be liable to be taken in accordance with law.

19. 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.

20. Subject to the Petitioner complying with the aforesaid conditions and shifting to the newly identified vending site, within one week, the Petitioner's vending activities at the said site shall not be disturbed by the authorities.

21. The Petitioner is stated to have a locomotor disability and, therefore, at the time when the alternate site is being identified by the Assistant Commissioner, the aforesaid fact shall also be borne in mind.

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

**PRATHIBA M. SINGH
JUDGE**

**VIKAS MAHAJAN
JUDGE**

JULY 13, 2026

dj/sm