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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 14th September, 2026Uploaded on: 15th September, 2026

CNR No. DLHC010403562026

+ W.P.(C) 12517/2026

RAMSEWAK RAYPetitioner

Through: Mr. Yogesh Kumar, Adv.

versus

MUNICIPAL CORPORATION OF DELHI AND
ANOTHER

.....Respondents

Through: Mr. Tushar Sannu, Adv. for R-1.

Mr Saurabh Kansal, Mrs Pallavi
Sharma, Mr Raghav, Mr Manish
Kumar, Ms. Ritul Sharma, Mr Suraj K.
Jha, Mr Pratham Malik, Ms Vanshika
Kapoor and Ms Sakshi Tiwari, Adv.
for R-2.**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE HARISH VAIDYANATHAN SHANKAR****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from the vending site *i.e.*, on the Major Sudesh Marg Road, adjacent to DESU Office, J-Block, Bus Stand No.2, Rajouri Garden, Delhi. (*hereinafter*, 'the vending site').
3. The case of the Petitioner is that he is a street vendor who has been



issued a *provisional* Certificate of Vending (CoV) bearing **URI No.1512535** in the category of '**Food snack with gas cylinder/fire**'.

4. The Petitioner has placed on record photographs of his stall, which is a mobile stall mounted on a tricycle. The photograph of the Petitioner's vend is set out below:



5. The case of the Petitioner is that the Petitioner is being unnecessarily harassed and disturbed by the concerned officials of the Municipal Corporation of Delhi (*hereinafter, 'the MCD'*) and the Delhi Police. Hence, this petition.

6. Issue notice. Mr. Tushar Sannu accepts notice on behalf of Respondent no.1/MCD. Mr. Saurabh Kansal accepts notice on behalf of Respondent no.2/Delhi Police.

7. The Court has considered the facts of this case. This Court is inclined to pass similar directions as have been passed in similar matters recently, wherein, vendors are vending under the category of '**Food/Snack with gas**'



cylinder/fire’ i.e., in W.P.(C) 15082/2025 titled ‘Rajendra Singh v. Commissioner of Police and Ors.’ vide order dated 2nd February, 2026, W.P.(C) 19391/2025 titled ‘Mohd Badruddin v. Municipal Corporation of Delhi & Ors.’ vide order dated 8th January, 2026 and in W.P. (C) 1609/2026 titled ‘Rihana v. MCD & Ors.’ vide order dated 05th February, 2026.

8. In this background, to protect the livelihood of the Petitioner, the present petition is disposed of in the following terms:

(a) The Petitioner shall abide by the terms and conditions of the *provisional 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.

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”

- (b) 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;
- (c) The Petitioner shall restrict himself to a particular space which shall not in any manner cause obstruction to the movement of pedestrians or cause any traffic congestion to vehicular traffic on the roads;



- (d) 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;
 - (e) 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.
 - (f) 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.
 - (g) No permanent or temporary construction shall also be erected by the Petitioner.
9. 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.
10. Subject to the Petitioner adhering to the above terms and conditions, Petitioner's vending activities shall not be disturbed.
11. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

HARISH VAIDYANATHAN SHANKAR
JUDGE

SEPTEMBER 14, 2026

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