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

*Date of Decision: 16<sup>th</sup> April, 2026*

*Uploaded on: 18<sup>th</sup> April, 2026*

+ **W.P.(C) 4939/2026 & CM APPL. 24289/2026**

VISHAL GUPTA

.....Petitioner

Through: Mr. Amit Agrawal, Ms. Akanksha Chauhan and Mr. Sarthak Wadhwa, Advocates (M: 8826233398).

versus

MUNICIPAL CORPORATION OF DELHI THROUGH  
COMMISSIONER & ANR.

.....Respondents

Through: Ms. Beenashaw N. Soni, Advocate for MCD.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE MADHU JAIN**

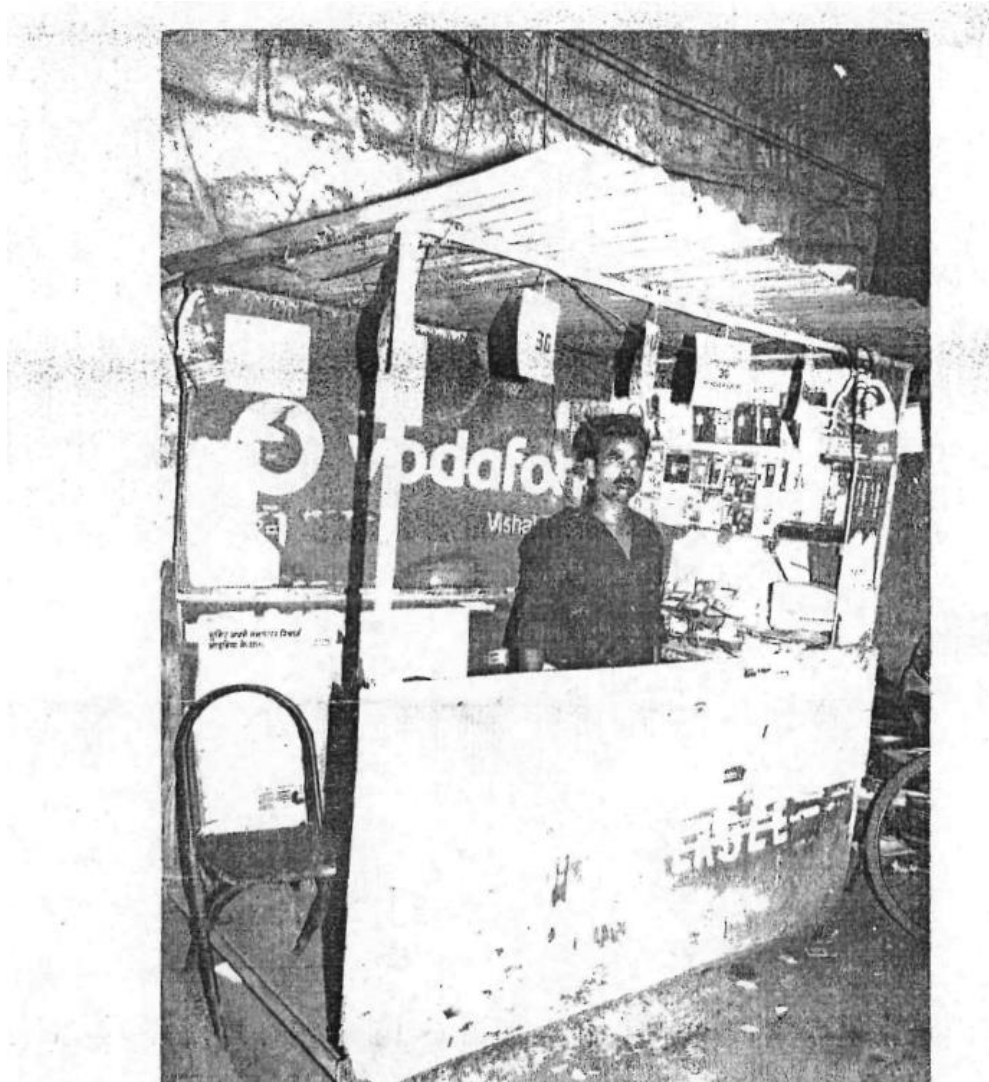
**Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed, *inter alia*, seeking allocation of a 'fixed' vending site and appropriate modifications be made to his provisional Certificate of Vending dated 12th April, 2022.
3. The case of the Petitioner is that he is a street vendor with 70% physical impairment, including 60% locomotor disability in both feet due to post-polio residual paralysis. He also has low vision in eyes with 30% disability. In support of the same, reliance is placed on the Disability Certificate dated 24th June, 2022 issued by the Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India.
4. It is stated that the Petitioner has a provisional Certificate of Vending



bearing No. URI:5004633 as per which the permitted vending zone is City-SP Zone, Ward 84-N, and the vendor type is 'Others'.

5. According to the Petitioner, he has been vending for the past 30 years as a stationary vendor in an area called Bagichi Chetan Dass, selling mobile phone accessories, *etc.* A photograph of the Petitioner at his vend, which he was earlier running, is set out below:



6. The grievance of the Petitioner is that despite his disability, in the provisional Certificate of Vending, one of the conditions being Condition No. 11 mandates that the Petitioner cannot stay in one spot for more than 30



minutes. In addition, it is stated that the Petitioner's vend has been removed, and presently, he is unable to vend from any particular spot.

7. In view of the Petitioner's disability due to which his movement is impaired, he prays that a specific spot may be given to him for vending and the conditions *qua* mobile vendors in the provisional Certificate of Vending may not be made applicable to him.

8. Ld. Counsel for the Respondents submits that the Petitioner was vending in a non-squatting zone, and hence, was removed.

9. The Court has considered the matter. The Disability Certificate which has been placed on record shows that he has a locomotor disability of 60%. Under such circumstances, the Petitioner's case deserves to be considered empathetically and the 30 minute mobile vending condition deserves to be waived.

10. However, since the Petitioner's vend has already been removed and he is presently working as a mobile vendor, let the Petitioner appear before the concerned Assistant Commissioner who shall allocate a specific spot for him to vend his mobile accessories and other related goods. The Petitioner shall, however, not raise any *pakka* construction in the spot when allotted to him and shall maintain hygiene and cleanliness around the vend.

11. The identification of the appropriate fixed vending site shall be done within a period of two weeks and the Petitioner shall be permitted to vend in the said spot. However, this shall be subject to overall finalisation of the town vending plan in terms of the Street Vendors (Protection Of Livelihood And Regulation Of Street Vending) Act, 2014 and Rules thereunder.

12. Let the Petitioner appear before the Assistant Commissioner of the City-SP Zone, Ward 84-N **on 23<sup>rd</sup> April, 2026 at 11.00 AM.**



13. The Petitioner is permitted to file an application, if the vending spot is not identified, within the time period prescribed by the Court.

14. The Petition is disposed of in the above terms. All pending applications are also disposed of.

**PRATHIBA M. SINGH  
JUDGE**

**MADHU JAIN  
JUDGE**

**APRIL 16, 2026  
MR/msh**