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

Date of Decision: 16th April, 2026

Uploaded on: 17th April, 2026

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W.P.(C) 4951/2026

ARJUN

.....Petitioner

Through: Mr. Swagata Gupta, Mr. Kamlesh Kr. Mishra, Mr. Piyush Singh and Ms Renu, Advocates (M: 8013313825).

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Meherunnisa Anand Advocate for R-1 and 2 (M: 9717100486).
Ms. Shubhi Bhardwaj SPC with Ms. Archana Kumari, Advocate for UOI (M: 8368257877).
Ms. Shubhi Bhardwaj(SPC) with Ms. Archana Kumari(GP) for R-2 and 3 (M: 9999366454).

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 seeking, *inter alia*, directions to the Respondents to allow the Petitioner to peacefully vend at his allotted site being near the vacant land, on the pavement of the service road, near Atma Ram Sanatan Dharm College, near bus stand, South Zone, Ward S-64.
3. The Petitioner operates his vend in the name of *Shiv Chaat Bhandar* at the allotted site.



4. According to the Petitioner, he has a Certificate of Vending bearing URI:4730768, with the category “*Food/ Snacks with gas cylinder/fire*”.
5. The photographs of the Petitioner's vend have been placed on record. The Petitioner's vending site is near the metro station *i.e.*, Durga Bhai Deshmukh, South Campus Metro station.
6. The Petitioner's case is that he is being perpetually harassed by the officials and the police, and therefore, he states that he may be allowed to vend at his allotted site with the waiver of the condition in respect of mobile vending.
7. Ms. Meherunnisa Anand, Id. Counsel for the MCD, on the other hand, has handed across certain photographs of the Petitioner’s vend and submits that the place where the Petitioner is vending is a sensitive area. It is also submitted that the manner in which the Petitioner parks his mobile vend also affects the ingress and egress of the people who are accessing the metro station.
8. It is her submission that the concerned area is also a sensitive area, where there are several foreign delegations and other VIPs living, due to which sometimes the police are compelled to move the Petitioner's cart for security reasons.
9. The photographs of the vend of the Petitioner have also been placed on record, some of which are as under:-



10. The Id. Counsel for the Petitioner submits in response that the Petitioner, having a provisional Certificate of Vending, would operate from



the by-lane with which he is already familiar.

11. The Court has considered the matter. Insofar as mobile vends which are under the category of “Food/ Snacks with gas cylinder/ fire” are concerned, this Court has already passed several orders imposing various conditions upon such vendors in *W.P.(C) 15082/2025* titled *Rajendra Singh v. Commissioner of Police and Ors.* vide order dated 2nd February, 2026 and in *W.P. (C) 1609/2026* titled *Rihana v. MCD & Ors.* vide order dated 5th February, 2026. Similar conditions would also be applicable in the present case. Accordingly, the present petition is disposed of with the following directions:-

- a) The Petitioner shall not park his mobile cart vend outside the Durga Bhai Deshmukh, South Campus metro station, but shall operate from the by-lane.
- 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 or medium sized gas cylinder for heating of food and snacks shall be used by the Petitioner;
- c) 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;
- 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 Certificate of Vending shall not apply to the Petitioner. The Petitioner shall comply with all the other conditions in the Certificate of Vending.
- f) It shall be ensured that the Petitioner shall not create any third party



interest in this provisional Certificate of Vending 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.

12. 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.

13. Subject to the above conditions being adhered to, the police authorities and the officials of the MCD would not harass the Petitioner or cause any impediment in his vending.

14. Pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

**APRIL 16, 2026
MR/msh**