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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 16th April, 2026******Uploaded on: 18th April, 2026***

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W.P.(C) 5053/2026**SHEETAL GUPTA**

...Petitioner

Through: Mr. Aditya, Mr. Anjani Kr. Mishra,
Vipin Kr., Mr. Kailash Kr Jha, Ms.
Pralika Chakraborty, Mr. Fareeduddin,
Ms. Srejal Mishra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Puja S Kalra, Standing Counsel
with Mr. Virendra Singh, Advocate for
MCD.Ms. Vaishali Gupta, Panel Counsel
(Civil) GNCTD, Mr. Siddharth Arora,
AdvocatesMr. Akhil Mitta, SPC-UIO with Ms.
Riddhi Jain & Ms. Shayna Das
Pattanayak, Advs. for R-4 & 5.**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 by the Petitioner- Mr. Sheetal Gupta 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 on the footpath/open space, Hansraj Gupta Road alongside DDA Park Wall, Opposite Bharat Petroleum Petrol Pump, Greater Kailash-I, South Zone, Ward-S-86, New Delhi (*hereinafter*, 'the vending site').
3. The case of the Petitioner is that he is a street vendor, who has been



selling *paan* items and water bottles from the vending site for several years. The Petitioner has been issued a *provisional* Certificate of Vending (*hereinafter*, 'CoV') bearing **URI No. 9434943** under the category of '**Others**' for South Zone, Ward S-86.

4. The photograph of the vending site of the Petitioner is set out below:



5. The grievance of the Petitioner is that he is being harassed by the concerned officials of the Municipal Corporation of Delhi (*hereinafter*, 'MCD') and Delhi Police, who are not allowing him to peacefully vend from the vending site.

6. One of the conditions in the CoV is that he has to be a mobile vendor. The said condition reads as under:



“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.”

7. The Court has considered the matter. After perusing the provision CoV and the nature of the Petitioner’s vend, the Petitioner is permitted to vend from the vending site, subject to the following conditions:

- (i) The Petitioner shall operate his vend in the manner, as is depicted in the photograph placed before the Court;
- (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 operate as a mobile vendor only;
- (iv) The Petitioner shall maintain cleanliness and hygiene around the vend which he is working from and shall ensure the presence of a dustbin near the vend;
- (v) No permanent or temporary construction shall also be erected by the Petitioner.

8. Subject to adhering to the above stated conditions, the Petitioner shall not be disturbed from vending in the vending area.

9. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

APRIL 16, 2026/Rahul/sm