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* **IN THE HIGH COURT OF DELHI AT NEW DELHI****Date of decision: 18th September, 2026****Uploaded on: 19th September, 2026**# **CNR No. DLHC010209082025**+ **W.P.(C) 4812/2025 & CM APPL. 22089/2025****DEEPAK**

.....Petitioner

Through: Ms. Shivani Verma, Ms. Akanksha
Priya, Advs. for Mr. Kamlesh Kumar
Mishra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS...RespondentsThrough: Mrs. Shilpa Ohri, Adv. for MCD.
Ms. Tanvi Nigam, SPC for UOI with
Mr. Divyansh Nigam, Adv.**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 under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to issue a Certificate of Vending (hereinafter, 'CoV') to the Petitioner. Further, the prayer of the Petitioner is to allow him to vend peacefully at his designated spot *i.e.*, Opposite to C-8, Gate No. 15, near Indian Oil petrol pump near Dalit Ekta Camp, Vasant Kunj.
3. The Petitioner is a person who has 70% locomotor disability due to an accident which he met in 2023. The Petitioner is stated to have been vending in the Vasant Kunj area near Dalit Ekta Camp.



4. The counter affidavit on behalf of the Municipal Corporation of Delhi (hereinafter, 'MCD') states as under:

"9. That as per the record available with the respondent department, the survey of the petitioner namely Shri Deepak S/o Shri Siya Ram (Date of Birth: 02.05.1994) was conducted on 02.12.2021 and the same was duly approved.

10. It is submitted that during the year 2021, the survey of street vendors was being conducted through the agencies M/s KASH IT Solutions and All India Institute of Local Self Government (AIILSG) through their web portal and the data relating to the survey was stored on the server maintained by the said agencies.

However, due to certain administrative and technical issues, the said agencies did not continue the survey process of vendors and consequently the Certificate of Vending (COV) could not be printed and issued despite completion of the survey.

11. It is further submitted that presently another agency namely Social Network India, having office at A-12/2, First Floor, Saket, New Delhi - 110017, has been engaged by CL&EC (HQ), MCD to conduct the survey of vendors in Najafgarh Zone.

The case of the petitioner shall be covered in the said survey and the Certificate of Vending shall be issued to him in accordance with law, subject to fulfillment of applicable terms and conditions and the decision of the competent authority.

12. It is further submitted that a site inspection was conducted by the officials of the respondent corporation, and it has been found that the petitioner is not vending at the location which he has claimed in the present writ petition."

5. The present position is that the Petitioner is not vending and the reasons for the same are not clear. According to the MCD, the Petitioner cannot vend



at his alleged designated site *i.e.*, opposite to C-8, Gate No.15, Near Indian Oil Petrol Pump, Near Dalit Ekta Camp, Vasant Kunj. However, it is a matter of fact that elections of the Town Vending Committee-II (hereinafter, 'TVC-II') are now completed and the TVC-II is likely to be constituted shortly. The Petitioner is an approved vendor during the survey in 2021. In view of these facts the Assistant Commissioner, MCD is directed to identify a site where the Petitioner can vend in the Vasant Kunj area. The Petitioner would be permitted to vend at the said site till the TVC-II takes a decision in respect of the Petitioner's CoV.

6. The Petitioner shall visit the office of the Assistant Commissioner, MCD, Najafgarh Zone on **30th September, 2026** at **11:30 A.M.** The site shall be identified by the Assistant Commissioner by 10th October, 2026.

7. Further, considering that the Petitioner is a disabled person and was operating a tea stall, he would be permitted to have a stationary tea stall.

8. For the time being, the Petitioner shall be bound by the conditions which are imposed by this Court on vendors who are issued a CoV in the category of '*Food Snacks with gas cylinder/fire*' which are as under:

- 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 or medium sized 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; and

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

9. The above shall be subject to the decision of the TVC-II in respect of both, the policy decision on disabled persons as also the credentials of the Petitioner being verified by TVC-II.

10. The above stated directions shall be subject to any plan which the 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.

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

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

SEPTEMBER 18, 2026

Rahul/ck