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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 24th July, 2026Uploaded on: 28th July, 2026

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W.P.(C) 10136/2026

MANOJ SAXENA

.....Petitioner

Through: Mr. Sanjay Baniwal and Ms. Manisha,
Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS.

.....Respondents

Through: Ms. Puja s Kalra, Standing Counsel
with Mr. Virendra Singh, Advocate.**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 -Manoj Saxena under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from the designated site *i.e.*, 10G/11 G, Jawahar Nagar, Kamla Nagar (Keshav Puram Ward 78-N), Delhi.
3. The Petitioner, who is a street vendor has been issued a Certificate of Vending (hereinafter 'CoV') bearing no. URI No. 6228867 by the Municipal Corporation of Delhi (hereinafter, 'MCD') in the category of 'Food/Snacks with gas cylinder/fire'. The photograph of the vend of the Petitioner has been placed on record, which is extracted below:-



4. The case of the Petitioner is that he is not being allowed to peacefully vend and thus, the prayer is for stopping the harassment which the Petitioner is facing. Further, the prayer of the Petitioner is the representation dated 16th July, 2026 made by the Petitioner be considered by the authorities.

5. Mr. Sanjay Baniwal, Id. Counsel for the Petitioner submits that the Petitioner ought to be permitted to vend as a 'Stationary Vendor' as has been permitted to other similarly placed vendors.

6. Ms. Puja Kalra, Id. Counsel for the MCD submits that Kamla Nagar is a 'No-Vending Zone' and, therefore, the Petitioner cannot be permitted to vend in this area. Id. Counsel for the MCD further submits that in **CONT.CAS(C) 1426/2022** titled **Jawahar Nagar Block Welfare Association (Regd.) v. Union Territory of Delhi & Ors.**, the Id. Single Judge of this Court, *vide* order dated 9th July, 2026 has passed the following directions.



“2. The Station House Officer (“SHO”), Police Station Roop Nagar is present in Court and his presence is recorded.

3. Learned counsel for the MCD submits that regular action for removal of the unauthorized vendors and hawkers is being taken.

4. Per contra, learned counsel for the petitioner disputes the aforesaid statement and submits that vendors and hawkers continue to occupy the area in question, i.e., the area between G Block and F Block, Jawahar Nagar, Delhi.

5. Learned counsel for the Delhi Police submits that although Beat Constables are stationed in the area in question, however, when the said Beat Constables move away from the area, the unauthorized encroachers return and reoccupy the space.

6. Accordingly, it is directed that the Local Police shall ensure that Beat Constables remain stationed in the 500 meter stretch, which is subject matter of the present petition, from morning till evening, so as to ensure that squatters do not return and reoccupy the area for unauthorised squatting.

7. Let Status Report be filed, along with the photographs, before the next date of hearing.

8. Re-notify on 16th October, 2026.”

7. This Court has repeatedly emphasised that vendors cannot vend or hawk in ‘No-Squatting Zone’ or ‘No-Vending Zone’. The Petitioner is clearly vending in ‘No-Squatting Zone’ or ‘No-Vending Zone’ which is not permissible. Terms and conditions of the CoV have to be strictly adhered to and the same are extracted below:

“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”



8. However, this Court has recently considered a similar matter wherein a vendor namely, Mr. Anil Kumar was also vending in Kamla Nagar area and certain directions have been passed in ***W.P. (C) 7593/2026*** titled ***Anil Kumar v. Municipal Corporation of Delhi and Ors.***

9. Considering that the Kamla Nagar area is held to be a 'No-Vending Zone' and 'Non-Squatting Zone' as also the order dated 26th May, 2026 passed in ***Anil Kumar (Supra)***, the following directions are issued in the present case:

- i) The concerned Assistant Commissioner, MCD shall identify a spot/space where the Petitioner can put up his vend within one week and communicate the same to the Petitioner;
- ii) 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;
- iii) The Petitioner shall restrict himself to the area, where he is operating from, and shall not move into No-Vending area. He shall also not extend/encroach to the pedestrian areas or cause obstruction in movement of pedestrians;
- iv) 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;
- v) No permanent or temporary construction shall also be erected by the Petitioner; and
- vi) Considering the category of the Petitioner's CoV, he is exempted



from complying with the Condition No. 11 *i.e.*, of being a mobile vendor. All the remaining conditions of the CoV which are extracted above shall be complied with;

10. 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.

11. Subject to the above, the Petitioner shall not be disturbed from carrying out his vending activities.

12. Insofar as the representation dated 16th July, 2026 is concerned, the said representation shall be put up before the Town Vending Committee–II upon being constituted and the same be decided within three months.

13. Petition is disposed of. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 24, 2026/MR/Ck