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* IN THE HIGH COURT OF DELHI AT NEW DELHI

*Date of decision: 24th July, 2026**Uploaded on: 30th July, 2026.*

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W.P.(C) 10160/2026

RAJKUMAR

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS.

.....Respondents

Through: Ms. Puja S Kalra, Standing Counsel
with Mr. Virendra Singh, Adv. for
MCD. (M: 9312839323)
Mr. Deepak Chauhan, SPC with Mr.
Nring Chamwibo Zeliang, GP for R-
2&3 (M: 9211447241)
Mr. Kamal Chauhan**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE VIKAS MAHAJAN****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The Petitioner is a street vendor, who has been allowed to vend in terms of the provisional Certificate of Vending (CoV) bearing No. URI:4428112. His CoV is under the category of 'Food/Snack with gas cylinder/fire'. He is, stated to be vending at 10 G, Jawahar Nagar, Kamla Nagar, Delhi (Kesav Puram, Ward – 78 -N*).
3. The case of the Petitioner is that he is not being permitted to vend in a peaceful manner. It is stated that the Petitioner had also submitted a



representation dated 16th July, 2026 to the Municipal Corporation of Delhi in respect of the difficulties faced by him, however, no action has been taken in respect of the same. Image of the Petitioner's vend is set out below:



4. 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.

5. Ms. Puja Kalra, Id. Counsel appearing for the MCD submits that Kamla Nagar area is a 'No-Vending Zone' and, therefore, the Petitioner cannot be permitted to vend in this area. She further submits that in Contempt Case being **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.”

6. This Court has repeatedly emphasised that vendors cannot vend or hawk in ‘No-Squatting Zone’ or ‘No-Vending Areas’. The Petitioner is clearly vending in a ‘No-Squatting Zone’ or ‘No-Vending Area’, which is not permissible. Further, the 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”



7. Recently, this Court has considered a similar matter being ***W.P. (C) 7593/2026*** titled ***Anil Kumar v. Municipal Corporation of Delhi and Ors.,*** in respect of a vendor operating in the Kamala Nagar area and considering the said area to be a No-Vending Zone certain directions have been passed on 26th May, 2026 for relocating the said vendor to an alternative location by the MCD.

8. In this background, the following further directions are issued:

- a) The Petitioner shall be permitted to operate his vend in an alternative space which shall be identified within ten days by the Assistant Commissioner, MCD of the local area. The same shall be communicated to the Petitioner.
- 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;
- e) Subject to the above, Condition No.11 in the CoV shall not apply to the Petitioner. However, the Petitioner shall comply with all the other conditions in the CoV.
- f) It shall be ensured that the Petitioner shall not create any third party interest in this provisional CoV 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.
9. The above stated directions shall be subject to any plan which the Town Vending Committee-II may come 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.
10. Subject to adhering to the above conditions, the Petitioner shall be allowed to continue with his vending activities.
12. Insofar as the representation of the Petitioner is concerned, the same shall be considered by the TVC-II after being constituted in accordance with law, within three months.
13. The present petition is disposed of in the said terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 24, 2026/dk/msh