



\$~38

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

Date of decision: 24th July, 2026

Uploaded on: 30th July, 2026.

+ **W.P.(C) 10164/2026**

DHARMENDRA GUPTA

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS.

.....Respondents

Through: Ms. Namrata Mukim, Standing
Counsel for MCD.
Mr. Shivam Sharma, Govt. Pleader for
R-2 and 3 UOI.

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-Dharmendra 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 designated site *i.e.*, near Gate No.1, Durga Bai Metro Station, Satya Niketan, New Delhi - 110021, South/ Vasant Vihar.
3. The Petitioner, who is a street vendor has been issued a Certificate of Vending (hereinafter 'CoV') bearing no. URI No. 013762 by the Municipal Corporation of Delhi (hereinafter, 'MCD') in the category of 'Food/Snacks



Preparation (Goods)'.

4. The photographs of the Petitioner's vend has been placed on record which is extracted below:-



5. 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 that the representation dated 9th July, 2026 made by the Petitioner be considered by the authorities.

6. Ms. Namrata Mukim, Id. Counsel for the MCD submits that the Petitioner has to be a mobile vendor and that he would have to adhere to all the terms and conditions of the CoV.

7. The Court has considered the matter. It is the case of the Petitioner that his vend is situated near Gate No.1 of the Durga Bai Metro Station, Satya



Niketan. In the opinion of this Court, the same may create obstruction for the entry and exit of passengers and commuters to the metro station. Moreover, as per the CoV issued to the Petitioner, he has to be a mobile vendor. The terms and conditions of the CoV have to be strictly adhered to by the Petitioner. 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. In view of the submissions made on behalf of the parties and the orders passed by this Court in similar matters, the following further conditions are imposed upon Petitioner:-

- i) The concerned Assistant Commissioner, MCD shall identify an area where the Petitioner can put up his vend within one week and communicate the same to the Petitioner;
- ii) The Petitioner shall restrict himself to the particular area, 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;
- iv) No permanent or temporary construction shall be carried out by the Petitioner.

9. 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.

10. The Petitioner shall adhere to the terms and conditions of the CoV and operate as a mobile vendor and shall not in any manner block the entry or exit of the metro station or create any traffic outside the metro station.

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

12. Insofar as the representation dated 9th July, 2026 is concerned, the said representation shall be put up before the Town Vending Committee-II upon being constituted and the same should be decided within three months thereafter.

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