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

Date of decision: 27th July, 2026

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W.P.(C) 10281/2026

RABINDRA NATH

.....Petitioner

Through: Mr. Vipin Kumar, Mr. Aditya, Mr. Anjani Kr. Mishra, Ms. Pralika Chakraborty, Mr. Fareeduddin, Ms. Srejal Mishra, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS ..Respondents

Through: Mr. Siddhant Nath (Standing Counsel MCD), with Mr. Amaan Khan, Advocate.

Ms. Vaishali Gupta (Panel counsel for GNCTD) and Ms. Aanchal Rajput, Advocate for R-3.

Ms. Shubhra Parashar and Mr. Virender Pratap Singh Charak, Advocates for R-5.

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 directions to the Respondents to allow the Petitioner to peacefully vend from the designated site *i.e.*, on the footpath/open space near M-71, M-Block Market, Greater Kailash-II, South



Zone, Ward S-87, New Delhi.

3. The Petitioner, who is a street vendor has been issued a Certificate of Vending (hereinafter 'CoV') bearing no. URI No. 3835042 by the Municipal Corporation of Delhi (hereinafter, 'MCD') in the category of 'Food/Snacks without 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. Ld. Counsel for the Petitioner submits that the Petitioner usually vends at a particular space. However, the said space has not been permanently allotted to the Petitioner, as a result of which, on most occasions, cars are parked at the said location, thereby preventing the Petitioner from vending at the said spot.

5. Mr. Siddhant Nath, Id. Standing Counsel for the MCD submits that the Petitioner is a mobile vendor and he has to comply with the terms and conditions of the CoV.

6. Heard Id. Counsels for the parties. A perusal of the CoV issued to the Petitioner would show that the same is in the category of '*Food/Snacks without gas cylinder/fire*'. The terms and conditions of the said CoV are as under :

"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. The Petitioner has to be a mobile vendor in terms of Condition No. 11 of the CoV and, therefore, cannot claim any rights to particular geographical space or spot. Under these circumstances, it is clarified that the Petitioner shall operate as a mobile vendor. The Petitioner shall also abide by the following directions:

- i) 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;



- ii) No permanent or temporary construction shall also be erected by the Petitioner and no third party rights shall be created in the CoV; and
8. 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.
9. Subject to the above, the Petitioner shall not be disturbed from carrying out his vending activities.
10. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 27, 2026/MR/CK