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

Date of decision: 27th July, 2026

Uploaded on: 29th July, 2026

+ **W.P.(C) 10296/2026**

RAJENDRA KUMAR SHARMA

.....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: Ms. Meherunnisa A. Jaitley Adv. with Mr. Aryan Tyagi Adv. for MCD.
Ms. Vaishali Gupta (Panel counsel for GNCTD) and Ms. Aanchal Rajput Advocate for R-3.
Mr Vikram Jetly CGSC with Ms. Shreya Jetly Advocate and SI Yashveer Sharma PS Govindpuri for R-4 and 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 open space, Jagdamba Road, Opposite RZ-216-A, Tughlakabad Extn, Central Zone, Ward-S-82, New Delhi.
3. The Petitioner, who is a street vendor has been issued a Certificate of Vending (hereinafter 'CoV') bearing no. URI No. 1162365 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.

5. Ms. Meherunnisa A. Jaitley, Id. Counsel for the MCD has pointed out that the photographs filed by the Petitioner are extremely misleading. It is her submission that the Petitioner is occupying more space on the footpath and



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also not keeping the area clean. Further, the Petitioner has also put up a *tandoor* and has extended his cart much beyond the permissible limits. The photographs handed over by the Id. Counsel for the MCD are as under:-





6. Heard Id. Counsel for the parties. A perusal of the photographs handed over by the Id. Counsel for the MCD would show that the area surrounding the vend of the Petitioner is extremely unhygienic and the Petitioner is occupying much more space than is permissible. Even the *tandoor*, etc. and the other utensils are not being maintained as per the terms and conditions mentioned in the CoV. 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. The Petitioner is clearly misleading the Court. Accordingly, the Petitioner is not entitled to any relief. The Authorities are free to proceed against the Petitioner in accordance with law. If the Petitioner is willing to vend strictly in terms of the CoV issued to him, the same shall be permitted.

8. After having seen the photographs in this case, it is clear that the area surrounding the vend of the Petitioner also requires some repair. Accordingly, after action is taken against the Petitioner, the entire footpath and road shall be repaired and photographs showing the same would be placed on record. If the maintenance of the road and the footpath in the said area are with any other agency such as the Public Works Department, etc. then the said agency shall undertake the repair drive.

9. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

10. List for compliance on 17th September, 2026.

**PRATHIBA M. SINGH
JUDGE**

**VIKAS MAHAJAN
JUDGE**

JULY 27, 2026/MR/CK