



\$~63

*

IN THE HIGH COURT OF DELHI AT NEW DELHI*Date of Decision: 28th September, 2026**Uploaded on: 29th September, 2026*

#

CNR No. DLHC010468322026

+

W.P.(C) 14389/2026**PREM SHANKAR**

.....Petitioner

Through: Mr. Aditya, Adv.

versus

**MUNICIPAL CORPORATION OF DELHI AND
ORS**

.....Respondents

Through: Mr Harshi Chopra, SC with Mr.
Khushal Chand Agarwal & Ms. Nidhi
Mutreja, Advs
Ms. Vaishali Gupta, Panel Counsel (Civil)
Gnctd , Ms. Rashi Aggarwal,
Advocates for R-3.**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE DINESH BHATT****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The Petitioner in the present case is a two-wheeler mechanic holding a Provisional Certificate of Vending bearing URI:7832631 (hereinafter, 'COV') with permission to vend in the South Zone, Ward S-62.
3. The case of the Petitioner is that he has been vending on the footpath/open space at Chaudhary Dilip Singh Marg, Near Pressto, R-Block, Hauz Khas, South Zone, Wards S-62, New Delhi, however, he is not being allowed to peacefully vend.
4. On behalf of the MCD, ld. Standing Counsel submits that the Petitioner, despite holding the COV under the category of 'Others', and despite



Condition 11 of his COV, is not operating as a mobile vendor and has a proper cupboard and almirah situated on the footpath.

5. It is further stated that cleanliness is also not being maintained by the Petitioner around his vend and the location of the Petitioner's vend is such that it creates a traffic condition in the area.

6. On behalf of the Petitioner, it is submitted that the Petitioner is vending at a vending zone and ought not to be disturbed from his site.

7. The Court has heard the Id. Counsels for the parties and has perused the pictures of the Petitioner's vend along with the vicinity, which are also set out below:

ANNEXURE P2





37



8. Clearly, a perusal of the same would show that it is not a mobile mechanic shop but a stationary shop, which is not permissible in terms of the CoV issued to Petitioner. Moreover, even cleanliness is not maintained by the Petitioner in the area where he is vending.

9. In the opinion of this Court, the kind of vend being run by the Petitioner



would be needed by the commuters on the said road, however, it is also important to ensure that there is no congestion caused and the traffic can move smoothly. Accordingly, the following directions are issued in this case:

- i) The Petitioner shall strictly abide by the terms and conditions of the Provisional CoV which are set out below:

Conditions of the Vending Certificate

41

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. Vendor shall not stay or vend in a non-vending 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.

- ii) The Petitioner shall 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;



- iii) In addition to this, the Petitioner shall approach the Assistant Commissioner, MCD on **8th October, 2026 at 2:00 p.m.** On the said date, the concerned Assistant Commissioner, MCD, shall identify a space where the Petitioner can vend in the same vicinity itself, *i.e.* near Chaudhary Dilip Singh Marg, Near Pressto, R-Block, Hauz Khas, South Zone, Wards S-62, New Delhi.
 - iv) After the vending site is identified, 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;
 - v) 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.
 - vi) No permanent or temporary construction shall also be erected by the Petitioner.
10. Considering the profession of the Petitioner *i.e.*, a two-wheeler mechanic, his services may be required by many two-wheeler owners, etc. who may be commuting in the said area. Accordingly, he should be allocated a spot that is visible to the passers-by commuters, where his services can be rendered.
11. Upon the Assistant Commissioner , MCD, identifying the space, the Petitioner is permitted to vend and render his mechanic services to two-wheelers commuters, as per the terms and conditions of the CoV.
12. 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.

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

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

SEPTEMBER 28, 2026

Rahul /ss