



\$~13

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

Date of Decision: 29th May, 2026

Uploaded on : 1st June, 2026

+ **W.P.(C) 7720/2026**

DINESH AND ANR.

.....Petitioners

Through: Mr. Sanjay Baniwal & Ms. Manisha,
Advs.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Meherunnisa A. Jaitley Adv. for
MCD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners i.e., Mr. Dinesh and Mr. Naresh Kumar Ram *inter alia* praying that the Certificate of Vending (*hereinafter 'CoV'*) be issued to them and that they be not disturbed from operating from their respective vending sites.
3. The case of the Petitioners is that they have participated in the survey which was conducted by the MCD and their registration receipts for issuance of CoV have also been placed on record.
4. The survey registration receipt nos. of the Petitioners are 49711 (Mr. Dinesh) and 8208 (Mr. Naresh Kumar Ram).
5. The photographs of the vends of both the vend have also been placed on record which are extracted below:





6. Ld. Counsel for the MCD submits that the documents of the Petitioners are under verification. It is further submitted that after the completion of verification of the documents, CoV would be issued to Petitioners in due course.

7. Accordingly in view of the fact that the survey has already been conducted by the MCD and Petitioners do not appear to be in violation of any terms and conditions of vending, the present petition is disposed of with the following directions:

- i) Let the documents filed by the Petitioners be verified by MCD and their respective CoVs be issued in due course;
- ii) Until the CoV is issued to Petitioners, they shall not be disturbed in any manner by the authorities, so long as they vend in the manner as is depicted above in the photographs;
- iii) Since the Petitioners have gas cylinders at their vends, the following conditions, as have been issued by the Court in similar matters recently, *i.e.*, in *W.P.(C) 15082/2025* titled ***Rajendra Singh v. Commissioner of Police and Ors.*** *vide* order dated 2nd February, 2026 and in *W.P. (C) 1609/2026* titled ***Rihana v. MCD & Ors.*** *vide* order dated 5th February, 2026 are also further imposed:
 - a) The Petitioners shall be permitted to operate their 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 Petitioners;
 - b) The Petitioners shall restrict themselves to a particular space, where they are operating from, and shall not extend/encroach to the pedestrian areas or cause obstruction in movement of



- pedestrians;
- c) The Petitioners shall also be obliged to maintain cleanliness and hygiene around their vend which they are working from and shall ensure the presence of a dustbin near the vend;
 - d) Subject to the above, the condition in the CoV regarding ensuring movement of vend every 30 minutes shall not apply to the Petitioners. The Petitioners shall comply with all the other conditions in the CoV once the CoVs are issued to them;
 - e) It shall be ensured that the Petitioners shall not create any third party interest in their provisional CoVs and there shall be a bar on sub-letting or any handing over possession to any third party;
 - f) No permanent or temporary construction shall also be erected by the Petitioners.
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 adhering to the above conditions the Petitioners shall not be disturbed from peacefully vending.
10. The present petition is disposed of in said terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

MADHU JAIN
JUDGE

MAY 29, 2026/Rahul/ss