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

Date of decision: 29th May, 2026.

Uploaded on: 1st June, 2026.

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W.P.(C) 7773/2026

VED PRAKASH

.....Petitioner

Through: Mr. Aditya, Adv.

versus

COMMISSIONER OF POLICE AND ORS

.....Respondents

Through: Ms. Beenashaw N Soni,
Standing Counsel, MCD with
Ms. Ann Joseph, Adv.

Ms Vaishali Gupta, Panel
Counsel (Civil) GNCTD for R-
5.

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 Petitioner seeking issuance of direction to the Respondents to allow the Petitioner to peacefully vend at his vending site i.e., on the footpath/open space, Hansraj Gupta Road, beside *tehbazari* site, opp. Helvetia Clinic, Greater Kailash-I, South Zone, Wasd-S-86, New Delhi (*hereinafter, 'the vending spot'*), without any hindrance being caused.
3. The Petitioner is a street vendor who has been vending at the vending spot. The case of the Petitioner is that he has a vending certificate bearing URI: 6885904 under the category of '*Food/Snack with gas cylinder/fire*'.



4. The grievance of the Petitioner is that he is not being allowed to peacefully vend and his vending cart has been taken away by the local police. He has also placed on record certain photographs, which are extracted below:





5. This Court has already considered similar matters, *i.e.*, ***W.P.(C) 15082/2025*** titled ***Rajendra Singh v. Commissioner of Police and Ors.*** and



W.P. (C) 1609/2026 titled ***Rihana v. MCD & Ors.***, where the Petitioners who are similarly placed have been permitted to vend at their vending site, subject to the following conditions:

- a) The Petitioner shall be permitted to operate his 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 Petitioner;
 - b) 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;
 - c) The Petitioner 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, condition 11 in the CoV shall not apply to the Petitioner. The Petitioner shall comply with all the other conditions in the CoV;
 - e) It shall be ensured that the Petitioner shall not create any third party interest in his provisional CoV 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 Petitioner.
6. 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.
7. The Petitioner in the present case shall be bound to the conditions



which are set out above.

8. Accordingly, the local Police is directed to return the cart to the Petitioner but ensure that the Petitioner shall abide by the conditions stated above. The cart of the Petitioner shall be released by 2nd June, 2026. Subject to the same, the Petitioner shall not be disturbed in any manner.

9. 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