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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4922/2024**
MOHAN LAL

..... Petitioner

Through: Mr Sanjay Baniwal, Adv. with Ms.
Manisha Baniwal, Adv.

versus

**MUNICIPAL CORPORATION OF DELHI AND
ORS.**

..... Respondents

Through: Appearance not given for R-1/MCD.
Mr. Divyam Nandrajog, Panel
Counsel, GNCTD with Mr. Jatin
Dua, Adv. for R-2,3&4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

04.04.2024

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1. The petitioner has filed the present petition, *inter alia*, praying that he be permitted to peacefully vend at a site described as “*pavement near 13/30 WEA, Rachna Building, Ajmal Khan Road, Karol Bagh, New Delhi (Karol Bagh Zone, Ward - 102- N)*”. The petitioner also prays that the Certificate of Vending (COV) issued be rectified to reflect its type as “*Stationary Street Vendor*”.
2. Admittedly, no specific site has been allotted to the petitioner. Further the petitioner is not vending from a permanent or a semi-permanent structure. Thus, till any decision is taken by the concerned Town Vending Committee (TVC) with regard to allocating any fixed site, the petitioner is required to be considered as a Mobile Vendor.
3. In terms of the provision of Section 6(1) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014



(hereafter “the Act”), the street vendors can be classified under three categories:-

- a. Stationary vendor;
- b. Mobile vendor; or
- c. Any other category as may be specified under the Scheme.

4. It is contended on behalf of the respondents that the question of classifying the street vendors would be considered by the second Town Vending Committee to be constituted shortly (TVC-II) and at the stage of framing an appropriate vending plan.

5. The issue as to the interim arrangement required to be made prior to the Second TVC classifying the street vendors is being considered in another petition.

6. In the present case, learned counsel for the petitioner submits that the petitioner would be satisfied if the TVC is directed to consider his representation and, in the interregnum, be permitted to continue his vending activities strictly in accordance with the COV, which requires street vendors to not carry on vending activities at a specific place for more than thirty minutes or such time as may be fixed by the TVC.

7. Learned counsel appearing for the MCD submits that he has no objection to an order passed to the aforesaid effect.

8. In view of the above, we dispose of the petition by directing the concerned TVC to consider the petitioner’s representation and take an appropriate decision till the survey is completed and a vending plan is put in place by MCD in consultation with TVC-II.

9. In the meantime, the petitioner would not be interdicted from carrying on his vending activities provided the same are carried on in



accordance with the terms and conditions of the COV issued by the TVC.

10. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

APRIL 04, 2024/SA

Click here to check corrigendum, if any