



\$~1

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

+ **W.P.(C) 5946/2024**

RAM PRASAD SAHU AND ORS.

..... Petitioners

Through: Mr Sanjay Baniwal and Ms Manisha,
Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS.**

..... Respondents

Through: Ms Tajinder Viridi, Standing Counsel
for MCD.
Mr Divyam Nandrajog, Standing
Counsel for GNCTD/R-2 & 3 with
Ms Surbhi Soni, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

%

13.05.2024

1. The petitioners have filed the present petition, *inter alia*, praying as under:

“I. Pass an order directing the respondents to issue the Certificates of Vending to the petitioners, mentioning the “type of Vendor” instead of “type of Vending” in accordance with the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and not to disturb the operation of the vending/ hawking unit of the petitioners at Central Zone.”

2. The petitioners claim that they have participated in the survey and are now entitled to a Certificate of Vending (hereafter CoV). They apprehend that the COV will reflect the type of vending and not the type of vendor.



3. The learned counsel appearing for the respondent submits that the issue as to the COV is being considered.

4. It is noted that Section 6(1) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereafter *the Act*) expressly provides that COVs are to be issued under three categories viz. (a) a stationary vendor, (b) a mobile vendor, or (c) any other category as may be specified in the Scheme.

5. A format of the COV, which is annexed as Annexure-B to the Government of National Capital Territory of Delhi, Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019 (hereafter *the Scheme*) also requires that the COV mentions the type of vendors. However, the COV issued currently does not mention the type of vendor. It makes no distinction between a mobile vendor, a stationary vendor or any other type of vendor. This Court in an order dated 03.04.2024 passed in *Shiv Prasad and Ors. v. Municipal Corporation of Delhi and Ors.: W.P.(C) 2265/2024* held that the same was not in conformity with the requirements of the Act or the Scheme.

6. It is the respondents' case that the COVs issued currently are only interim COVs and the final COVs would be issued after the survey is completes and a Second Town Vending Committee has been constituted.

7. Insofar as the arrangement to be made in an interim stage is concerned, this Court is informed that pursuant to the directions issued by this Court in *Shiv Prasad and Ors. v. Municipal Corporation of Delhi and Ors. (supra)*, the relevant authorities are holding meetings to arrive at a feasible arrangement.



8. In view of the above, no further orders are required to be passed in this petition. The same is disposed of.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

MAY 13, 2024
RK