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

+ W.P.(C) 12346/2024 CM APPL. 51355/2024

VINAY KUMAR MISHRA AND ORS.Petitioners

Through: Mr. Mohan Singh, Ms. Vishakha
Deshwal and Mr. Robin Singh, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Amit Singh Chauhan, Ms. Shikha
Chauhan and Mr. Neelmani Guha,
Advs. for R-1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

04.09.2024

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1. Issue notice.
2. Learned counsel for respondents accept notice.
3. The petitioners claim that they are street vendors and are carrying on vending activities at the designated spot in Shahdara South Zone, Ward 12E, Delhi.
4. The petitioners are aggrieved on account of the respondents interfering with their vending activities.
5. The petitioners have been issued Certificates of Vending (COVs) which indicate that they are carrying on vending activities in Shahdara South Zone, Ward 12E, Delhi.
6. Clause 11 of the terms and conditions appended to the COVs (which have not been annexed with the present petition) expressly require that a



mobile vendor will not carry on vending activities from a fixed place for more than 30 minutes or such time that may be fixed by the Town Vending Committee (TVC).

7. Admittedly, the petitioners have not been allocated or assigned any fixed place for carrying on vending activities and a tehbazari licence in respect of any fixed place has not been issued to them.

8. In view of the above, this Court is unable to accede to the prayer that the petitioners be permitted to carry on their vending activities from a 'designated spot'.

9. At this stage, the petitioners will necessarily have to comply with the terms and conditions of the COVs. This Court is also informed that the COVs issued to the petitioners are interim COVs and the question of allocation of any space or classification of the street vendors in terms of Section 6 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending Act, 2014) shall be done at an appropriate stage after the second TVC is constituted and vending plan is prepared by the local authorities under Section 21 of the said Act.

10. At this stage, the petitioners are required to be considered as mobile vendors.

11. In the given circumstances, we direct that subject to the petitioners carrying on their vending activities in accordance with law and strictly in terms of their COVs, the respondents will not interfere or hinder the petitioners in carrying on their vending activities.

12. The petitioners have also filed a representation to the Commissioner, Municipal Corporation of Delhi (MCD). We direct that the said representation be considered at an appropriate stage.



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

VIBHU BAKHRU, J

SACHIN DATTA, J

SEPTEMBER 04, 2024/cl