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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5947/2025**

SANTOSH KUMAR GUPTA

.....Petitioner

Through: Mr. Aditya, Mr. Vipin Kumar, Ms.
Pralika Chakraborty, Mr. Kailash Kr.
Jha & Ms. Anjani Kr. Mishra, Adv

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Puja S Kalra & Mr. Virendra
Singh, Advs.
Mr. Shivam Singh & Mr. Parvin
Bansal, Advs. for Mr. Tushar Sannu,
Adv
Ms. Mansi Jain, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **26.05.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Santosh Kumar Gupta under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to allow the Petitioner to peacefully vend at his designated spot *i.e.* on the footpath, near Panchshila Club, August Kranti Marg, Panchsheel Park, South Zone, Ward-S-86, New Delhi, (hereinafter, '*vending site*').
3. The case of the Petitioner is that he is a tea and snack vendor vending at the abovementioned vending site. According to the Petitioner, he is permitted to sell food items and claims to be having Certificate of Vending (hereinafter, '*CoV*') bearing URI Number 6184523 for sale of food/ snack



with gas cylinder/ fire. The prayer of the Petitioner is that he should be permitted to peacefully vend at the vending site.

4. Ld. Counsel for the Municipal Corporation of Delhi (hereinafter, 'MCD') submits that the Petitioner has to adhere to Condition No.11 of the CoV and cannot create any permanent structure. The relevant terms and conditions of the CoV reads as under:-

"11. Mobile vendors shall not stay or vend more than 30 minutes or time prescribed by the TVC at place in a vending/squatting zone

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14. Vendor shall not build or construct any kind of permanent or temporary structure at vending site."

5. It is made clear that so long as the Petitioner adheres to the terms and conditions of the CoV and does not completely occupy the pedestrians' footpaths or make any permanent fixtures there, he shall be permitted to vend peacefully.

6. The petition is disposed of in the aforesaid terms. Pending application(s), if any, is also disposed of.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

MAY 26, 2025

kk/ck