



\$~33

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

+ **CONT.CAS(C) 898/2025 CM APPL. 35713/2025**

VINOD KUMAR

.....Petitioner

Through: Mr. Kamlesh Kumar Mishra, Adv.
with Mr. Shivani Verma, Ms.
Samishti Solomon, Ms. Renu, Ms.
Pragya Jaishwal and Mr. Harshit
Bahal, Advs.

versus

SHRI ASHWANI KUMAR, COMMISSIONER MCD AND ORS

.....Respondent

Through: Ms. Tajinder Viridi, SC for MCD.
Mr. P.S. Singh, CGSC with Ms.
Minakshi Singh and Mr. Mritunjay
Kr. Singh, Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

%

30.05.2025

1. This petition has been filed alleging wilful disobedience of judgment dated 19th September 2023 passed by the Division Bench of this Court in **W.P.(C) 12296/2023**. The directions were in the following terms:



7. It is an admitted position that the Town Vending Committee (TVC), has in terms of the directions issued by this Court, from time to time, as well as, in terms of the mandate of **Section 3 (Survey of street vendors and protection from eviction on relocation)** and **Section 4 (Issue of certificate of vending)** of the **Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014**, carried out a survey, in some of the areas under the MCD zones; pursuant to which, the petitioner, namely, **Vinod Kumar**, has been issued a certificate of vending dated **06.11.2021 (URI: 8994828)** in the category of Food/Snack with gas cylinder/fire, which is annexed as Annexure P-3, to the present writ petition.

8. In view of the foregoing, learned counsel appearing on behalf of the petitioner, categorically limits the relief in the present writ petition, to a direction to the Municipal Corporation of Delhi, to permit **Vinod Kumar**, to continue to vend within **South Zone, Ward-S-73**, strictly and scrupulously in compliance with the terms and conditions of the said certificate of vending, particularly **Clause no. 11**, and in accordance with law.

9. In view of the above, the present writ petition is partly allowed; and the Municipal Corporation of Delhi is directed to permit **Vinod Kumar**, the petitioner *herein*, to vend within **South Zone, Ward-S-73**, subject to the terms and conditions of the aforementioned certificate of vending dated **06.11.2021**, without any let or hindrance.



10. No further directions are prayed for.

11. With the above directions, the writ petition is disposed of accordingly. Pending applications also stand disposed of.

2. *Mr. Kamlesh Kumar Mishra and Ms. Shivani Verma*, counsels appear for the petitioner and state that petitioner was vending in the South Zone, however, his kiosk has been demolished on 13th May 2025, as evident from the following photographs:





This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/07/2025 at 01:39:39



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/07/2025 at 01:39:39



3. *Ms. Tajinder Virdi*, counsel appearing for the NDMC, however, states that the directions in the orders were clear and they were to vend strictly in compliance with the terms and conditions of the COV.
4. She states that the terms of the COV do not allow the vendor to be stationary as per *Clause 11* and instead, he had directed an almost permanent kiosk which had, therefore, to be demolished.
5. *Ms. Tajinder Virdi*, Counsel for NDMC states that they have no difficulty in permitting the petitioner to continue to vend in *South Zone, Ward S-33*, strictly in compliance with the terms of the COV.
6. Accordingly, *Mr. Kamlesh Kumar Mishra*, counsel for the petitioner, does not wish to press his petition on the basis of the said submission/undertaking.
7. As regards *Mr. Mishra's* contention that the petitioner is a stationary vendor, he is at liberty to agitate the issue before the appropriate Court.
8. Accordingly, the petition is disposed of. Pending applications, if any,



are rendered infructuous.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 30, 2025/MK/bp