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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 921/2025 CM APPL. 36457/2025 CM APPL.**
36458/2025
SITA RAMPetitioner

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

versus

ASHWANI KUMAR AND ORSRespondent
Through: Ms. Puja S. Kalra, SC for MCD.
Ms. Tajinder Viridi, SC for NDMC
Mr. Manoj Kumar Tyagi, SPC for R-
3 to 5.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

% **ORDER**
30.05.2025

1. This petition has been filed alleging wilful disobedience of judgment dated 26th April 2023 passed in W.P.(C) 5059/2023 in the following orders were passed:



In view of the foregoing, the present writ petition is partly allowed; and the Municipal Corporation of Delhi is directed to permit the above-mentioned petitioners to vend within **City-SP Zone, Ward-84-N**, subject to the terms and conditions of the said certificate of vending dated 07.11.2021 without let or hindrance.

Needless to state that the petitioners will be at liberty to articulate the difficulties faced by him, before the appropriate authorities, in accordance with law, in relation to the certificate of vending, insofar as it employs the expression '*Others*'.

No further directions are prayed for.

With the above directions, the writ petition is disposed of accordingly. Pending application(s), if any, also stand disposed of.

The date of 15.05.2023, already fixed in the matter stands cancelled.

2. It is stated that the petitioner has been recently removed from his vending site.
3. *Mr. Manoj Kumar Tyagi*, counsel for respondent No.3 to 5 is present.
4. *Ms. Puja Kalra*, counsel for MCD, 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.
5. She states that the terms of the COV do not allow him the vendor to be stationary as *per Clause 11* and instead, he had directed an almost permanent kiosk which had, therefore, to be demolished.
6. *Ms. Puja Kalra*, states that they have no difficulty in permitting the petitioner to continue to vend in *City-SP Zone, Ward-84-N*, strictly in compliance with the terms of the COV.



7. Accordingly, *Mr. Kamlesh Kumar Mishra*, counsel for the petitioner, does not wish to press his petition on the basis of the said submission/undertaking.
8. 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.
9. Accordingly, the petition is disposed of. Pending applications, if any, are rendered infructuous.
10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 30, 2025/MK/bp