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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9146/2025**

DEEPAK MATHURPetitioner
Through: Mr. Sushil Kumar, Advocate.

versus

MCD AND ORSRespondents
Through: Mr. Kunal Rawat, Advocate for MCD.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **07.07.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 38883/2025(for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

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3. The present petition has been filed by the Petitioner – Deepak Kumar seeking directions from this Court to the Respondents to not take any action against him that would affect his source of livelihood.
4. The Petitioner is a vendor who holds a vending license for food snacks without gas cylinder/ fire at Chittaranjan Park, South Zone, S-87.
5. It is the case of the Petitioner that he is being unnecessarily troubled by the Respondent No. 1- MCD Authorities who are not allowing him to peacefully vend from his assigned vending site.
6. Mr. Sushil Kumar, ld. counsel for the Petitioner submits that the Petitioner has been vending for a long time and he has also placed photographs on record to substantiate such submission.



7. Ld. Counsel for Respondent No. 1– MCD submits that the Petitioner has not attached the conditions along with the certificate of vending which clearly prescribe that the Petitioner is a mobile vendor and cannot make a permanent establishment in any manner. It is further submitted that the Petitioner also has a electricity connection for which electricity bills are also annexed. However, the same is also not permitted in terms of the vending conditions.
8. He also points out that the photographs, as annexed with the petition, would show that the Petitioner has encroached upon the pavement and even on the path demarcated for disabled persons.
9. The Court has heard the matter. The photograph of the vendor at his vending site is set out below:



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10. A perusal of the above would show that there is a gas stove which has been used by the Petitioner, when the certificate of vending certificate clearly states that the same is not permitted. Ld. counsel for the Petitioner submits



that he is using an induction stove, which is also not permissible inasmuch as the Petitioner is only permitted to have foods or snacks as a mobile vendor and not as a permanent establishment.

11. Thus, the only relief that the Petitioner is entitled to is that the Petitioner would have to adhere to the condition of mobile vending as also to the other terms and conditions, subject to which the Petitioner would not be disturbed from vending in terms of the certificate of vending, by the Respondent No. 1-MCD.

12. The petition is disposed of in these terms.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

JULY 7, 2025/da/ss