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

+ **W.P.(C) 9443/2025, CM APPL. 39900/2025 & CM APPL. 39901/2025**

RAJESH PRASAD

.....Petitioner

Through: Mr. Ahsan Sanjar, Ms. Pragya Jaishwal, Ms. Renu, Ms. Arpita Singh, Ms. Mishra Divya Santosh, Mr. Swagat Gupta & Mr. Limar Ado, Advs. (M: 8521863230)

versus

MUNICIPAL CORPORATION OF DELHI THROUGH ITS COMMISSIONER AND ORS

.....Respondents

Through: Ms. Puja S. Kalra, Standing Counsel with Mr. Virendra Singh, Adv. with Mr. Sanjay Beniwal, License Inspector in person for MCD.
Ms. Neha Rastogi Sr. Panel Counsel with Mr. Animesh Rastogi & Mr. Rajat Dubey, Advs. for R-3 to 5. (M: 7289869290)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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09.07.2025

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner – Mr. Rajesh Prasad, *inter alia* seeking directions to the Respondents to allow the Petitioner to peacefully vend at his vending spot near pavement of service road, opposite Kailash Colony Metro Gate No.2, Bodofa Upendra Nath Brahma Road, Kailash Colony Metro Station, South Zone, Ward, S-86 (hereinafter, '*the vending spot*').



3. The case of the Petitioner is that he has a vending certificate for selling food snacks with gas cylinder/fire and he is unnecessarily being disturbed from peacefully vending at the vending spot. In support of the petition, certain photographs have been placed on record.

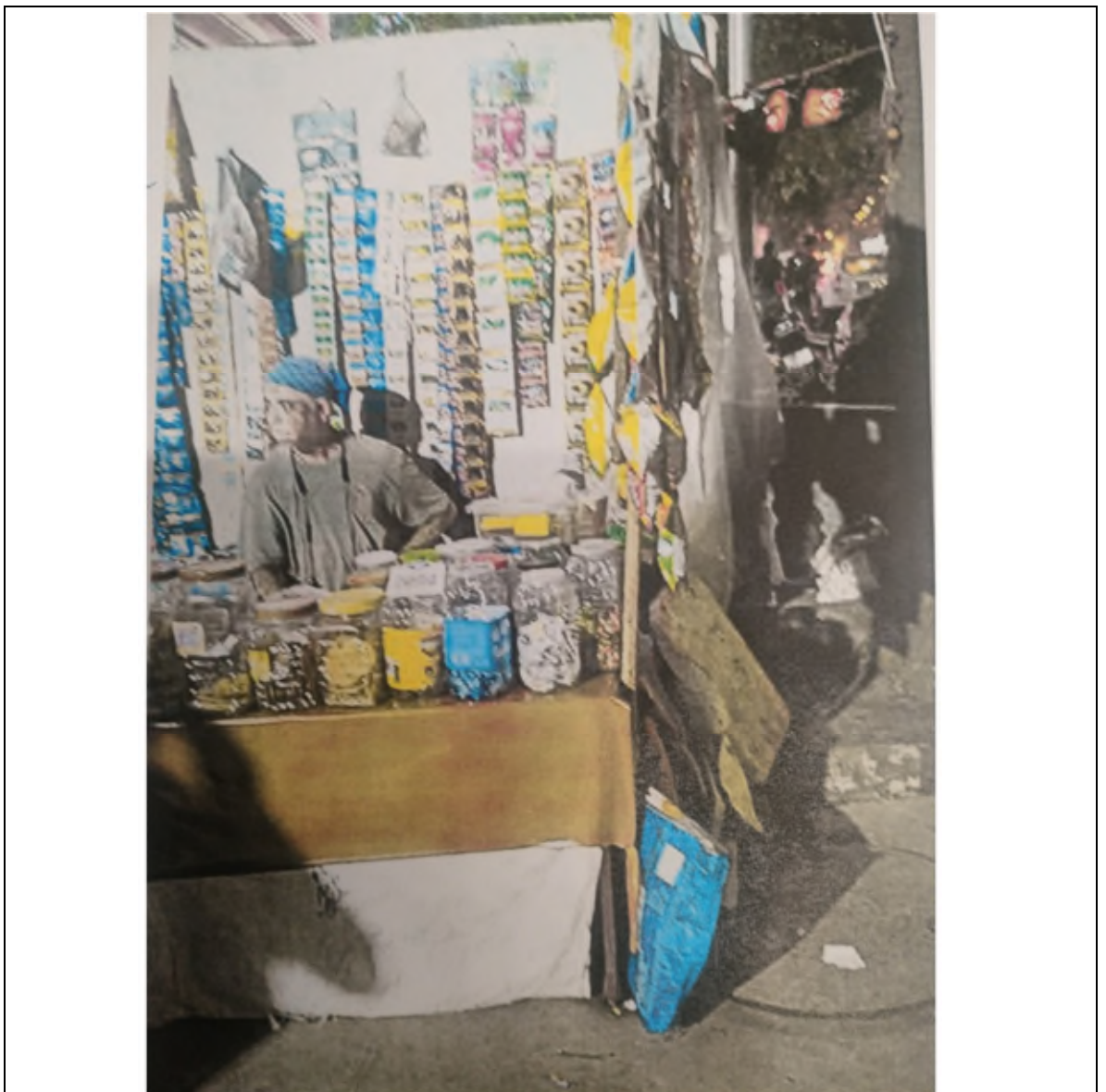


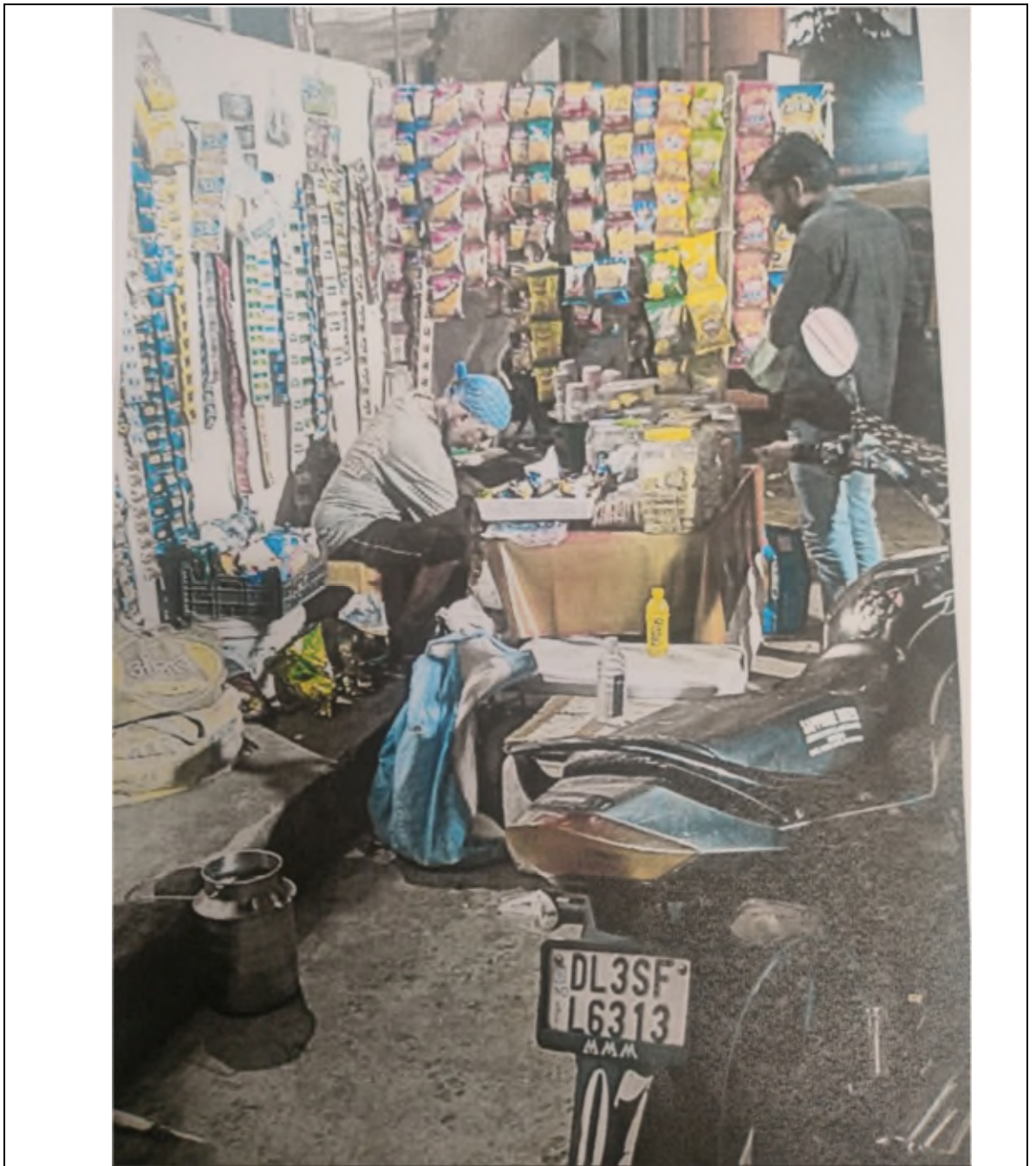
4. Ms. Kalra, Id. Counsel for the Municipal Corporation of Delhi (hereinafter, 'MCD') submits that the Petitioner is not being disturbed by the

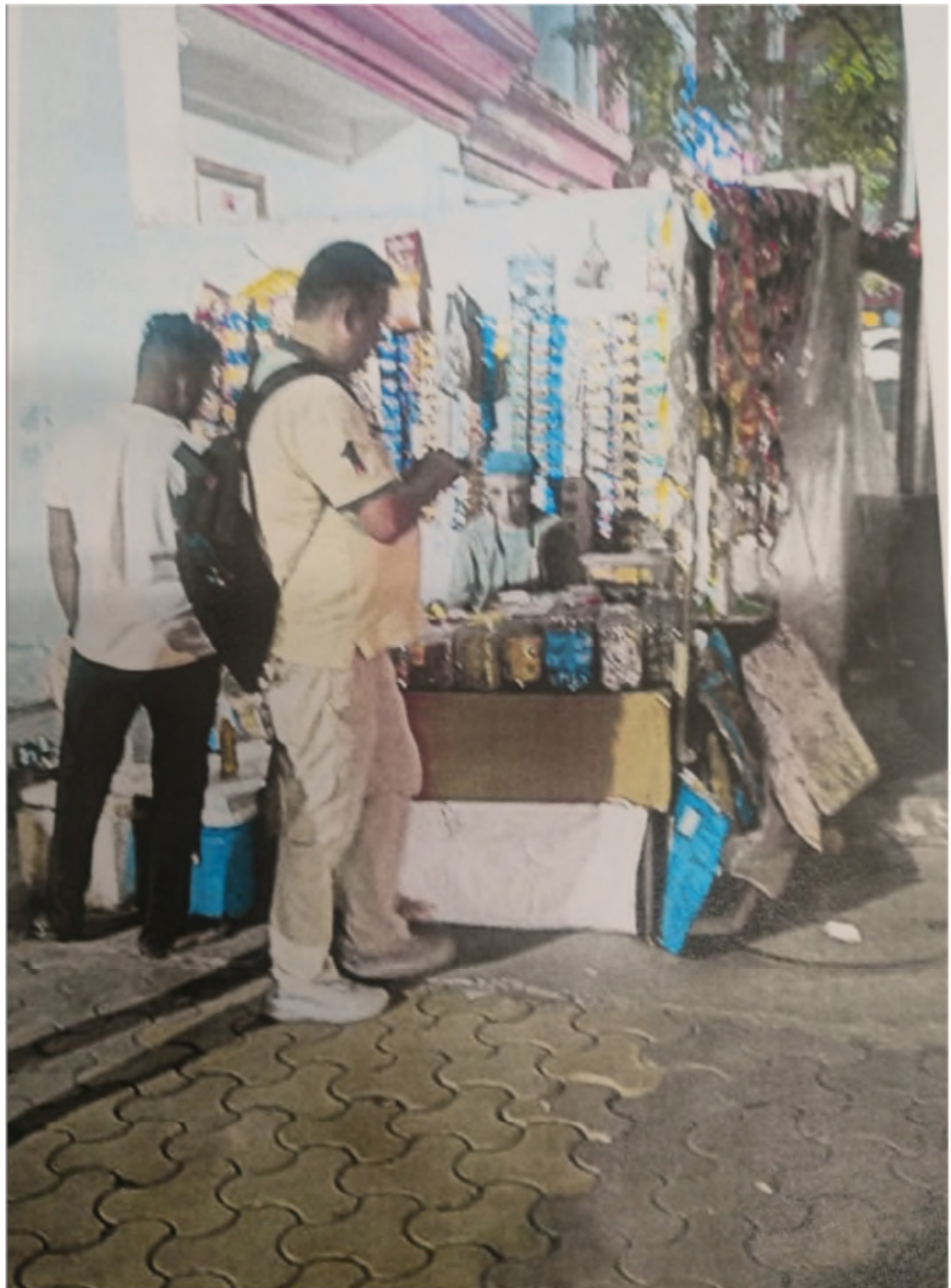


MCD or the police officials in any manner. However, it is further submitted that the photographs of his vend, taken today and over the last two days, as handed over by her in Court do not show any mobile cart but would show that the Petitioner is vending at a stationary spot.

5. The photographs have now been placed on record, which were clicked in the morning of 8th July, 2025 and 9th July, 2025. The same are as under:







6. A perusal of the petition would show that a mobile cart has been shown by the Petitioner at the vend of the Petitioner, whereas, in fact, there is no



mobile cart in the actual vend in the photographs which the MCD has placed on record.

7. In the opinion of this Court, any Petitioner coming to the Court is expected to come with clean hands. The photographs handed over by the MCD are starkly different from the ones filed by the Petitioner in the present petition. Hence, it seems likely that the Petitioner has attempted to mislead the Court.

8. Due to the filing of misleading photographs, this Court is not inclined to entertain the present writ petition. In any event, there is no ground for apprehension for the Petitioner as the Id. Counsel for the MCD has stated that so long as the Petitioner adheres to the conditions of the vending certificate, the Petitioner would not be disturbed.

9. In view thereof, the present petition, along with all pending applications, is disposed of in the above terms.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

JULY 9, 2025/dk/ss