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

+ **W.P.(C) 13135/2025**

MOHAMMAD FARUK SEKH

.....Petitioner

Through: Mr. Aditya, Mr Kailash Kr. Jha Mr.
Vipin Kumar, Mr. Anjani Kumar
Mishra, and Mr. Pratika Chakraborty,
Advs.

versus

COMMISSIONER OF POLICE AND ORS.

.....Respondents

Through: Mr. Tushar Sannu, Standing Counsel
for MCD with Mr. Vishal J.
Advocate.

Ms. Urvi Mohan, Advocate for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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08.09.2025

1. Under the *Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019* (hereinafter, '2019 Scheme'), petitioner was categorised as a mobile vendor under *Clause 6.1*. Accordingly, Certificate of Vending ('COV') came to be issued to him, which contains a condition regarding a mobile vendor.
2. It is the case of petitioner that he is a disabled person and is required to be treated on priority as per *Clause 6.2* of the 2019 Scheme. In the matter of allotment of a COV, he is entitled to be categorized as a stationary vendor and not a mobile vendor.



3. Support is drawn from the order of Division Bench of this Court in *Writ Petition (C) No. 2145/2024* titled “*Mohammad Ikram Ansari v Commissioner of Police and Ors*” decided on 11th July 2024.
4. It has been claimed that this Court had come to the rescue of a disabled person, who was holding a mobile vending certificate. Further, the Court had directed that the petitioner (therein) be permitted to carry out vending activity at a fixed site, pending constitution of second Town Vending Committee (‘*TVC*’).
5. Counsel for respondent no.2 submits that in the case of *Mohammad Ikram Ansari (supra)* the petitioner was disabled with 85% (eighty-five percent) permanent locomotor disability, whereas in the present petition, the petitioner’s disability is only to the extent of 30% and by taking corrective measures, the same can be further minimized through appropriate steps.
6. It has been claimed that since 2021, the fact that he is holding a COV under the category of mobile vendor was within the knowledge of petitioner and he has already acted on the same.
7. The fact remains that we have not come across a single COV, wherein the condition of mobile vending is not incorporated.
8. We have reason to believe that a COV was granted in 2021, pursuant to Clause 6.1 of the 2019 Scheme and was issued under Category 6.1.1 (II), i.e. for “*Mobile Vendors or Peripatetic Vendors*”.
9. For persons like the petitioner, who are disabled and entitled to priority under Clause 6.2 of the 2019 Scheme, it was expected of the respondents to consider and deal with the petitioner’s claims strictly in accordance with the provisions of the 2019 Scheme, and not arbitrarily as per their whims and fancies.



10. The aforesaid conduct on the part of the respondents has prompted us to pass the following order:

- i. We direct the claim of petitioner for Stationary Vending to be incorporated in the COV dated 07th November 2021 and be re-considered having regard to his disability.*
- ii. Appropriate order be passed and communicated to the petitioner within six weeks from today.*
- iii. Till then there shall be no coercive action against the petitioner by either of the respondents.*

11. This petition is disposed of. Pending applications are rendered infructuous.

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

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

SEPTEMBER 8, 2025/RK/sp