



\$~20 & 21

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

+ **W.P.(C) 13862/2025 & CM APPL. 56839/2025**

SHANTI

.....Petitioner

Through: Mr. Swagata Gupta, Mr. Piyush Singh, Mr. Kamlesh Kr. Mishra & Ms. Renu, Advs.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS.**

.....Respondents

Through: Ms. Beenashaw N. Soni, Standing Counsel with Ms. Avni Joseph, Adv. for MCD.
Ms. Sangita Malhotra, Standing Counsel for R-4/SHO, Tilak Nagar.

21

+ **W.P.(C) 14158/2025 & CM APPL. 58094/2025, CM APPL. 58095/2025**

MD. MOHIUDDIN

.....Petitioner

Through: Mr. Swagata Gupta, Mr. Piyush Singh, Mr. Kamlesh Kr. Mishra & Ms. Renu, Advs.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Ms. Beenashaw N. Soni, Standing Counsel with Ms. Avni Joseph, Adv. for MCD.



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

ORDER

%

16.12.2025

1. The petitioners hold a vending certificate dated 7th November, 2021 which contemplates that under the certificate, they can carry out vending activities of food/snacks and are also permitted to use *gas cylinder/fire*. The area where the petitioners are permitted to carry out vending activities is *Central Zone, Ward No. S-55*.
2. No doubt once the petitioners are permitted to use gas cylinder for carrying out vending activities, there must be restriction, exercised on their own, to avoid causing any accident and that being so, we clarify that the petitioners, in such an eventuality, cannot be treated as the mobile vendors.
3. However, this will not preclude the respondents from taking out proceedings for modification of the vending certificate, including that of the class of vending which is carried out by the petitioners.
4. Having regard to the objection raised by the counsel appearing for the respondents regarding the excess area occupied by the petitioner in W.P.(C) No. 13862/2025, on the public pavement, we deem it appropriate to observe that the said petitioner, by encroaching additional space, cannot be unreasonable, not only to the respondents but also to the public for whom the public pavements are meant for walking.
5. At this stage, learned counsel appearing for the said petitioner in W.P.(C) No. 13862/2025, submits that they shall reasonably restrict the area occupied by them.



6. We make it clear, if found unreasonable, the respondents are at liberty to take action.
7. The petitions, accordingly, stand disposed of. Pending applications, if any, stand disposed of.
8. Order be uploaded to the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

DECEMBER 16, 2025

Ab/st