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

+ **W.P.(C) 16520/2025 & CM APPL. 67694/2025**

NIROTAM AND ORS

.....Petitioners

Through: Mr. Kamlesh Kumar Mishra, Mr.
Swagata Gupta, Mr. Nitin Nayak and
Ms. Renu, Advocates

versus

**MUNICIPAL CORPORATION OF DELHI AND
ORS**

.....Respondents

Through: Ms. Puja S. Kalra, Advocate for R-
MCD
Mr. Syed Hussain Adil Taqvi, SPC
with Ms. Vaishnavi Gaur, Mr.
Waseem, Advs. for R/Delhi Police

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

10.11.2025

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1. All the petitioners have a vending license wherein they are permitted to vend food/snacks with gas cylinder/fire.
2. It is the case of the petitioner that inspite of the category of vending for which the vending certificate is issued, the petitioners are asked to be mobile and action is threatened, to be inferred from para 7 of the pleadings.
3. As against above, the counsel appearing for the respondent/MCD informs that MCD has not taken any action, whereas counsel appearing for the Delhi Police informs that he needs time to take instructions in the matter.
4. However, considering the nature of vending that is permitted under



the vending licence, we deem it appropriate to declare that since the petitioners are permitted to vend food/snacks with gas cylinder/fire, they cannot be termed as a 'mobile vendor'.

5. Counsel appearing for the MCD submits that the area is quite congested and as such if required the petitioner may permitted to be re-located in accordance with the provisions of the Act and the rules framed thereunder.

6. We have not stopped the respondents from taking any such action against the petitioners in case if the petitioners are acting contrary to the certificate of vending, if they intend to do so in accordance with law.

7. With above observations, the petition stands disposed of.

8. Pending application also stands disposed of accordingly.

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

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

NOVEMBER 10, 2025/pr/st