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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1351/2026 & CM APPL. 6701/2026, CM APPL. 6702/2026**

MOHD SAGEER

.....Petitioner

Through: Ms. Renu, Ms Mansi, Mr Momin and
Mr. Kamlesh Kumar Mishra, Adv.
(M: 8851594695)

versus

MUNICIPAL CORPORATION OF DELHI AND ORS....Respondents

Through: Ms. Puja S. Kalra, Standing Counsel
with Mr. Virendra Singh, Adv. for
MCD. (M: 9312839323)
Mr. Ravindra Vikram Singh, SPC and
Ms. Bhawna, Govt. Pleader for R-3 &
4. (M: 9810994987)
Ms. Vaishali Gupta, Panel Counsel
(Civil), GNCTD for R-5. (M:
9910623535)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **02.02.2026**

1. This hearing has been through hybrid mode.
2. The present petition has been filed by the Petitioner – Mr. Mohd. Sageer under Article 226 of the Constitution of India, *inter alia*, seeking an appropriate writ directing the Respondents to allow the Petitioner to peacefully vend at his vending site *i.e.*, near pavement of Astha Kunj Road, opposite Satyam Cinema, Nehru Place, Ward S-86, South Delhi- 110019. (*hereinafter, 'the vending site'*).
3. The Petitioner is seeking protection on the ground that he is a street



vendor and earns his livelihood from vending at the vending site. According to the Petitioner, he sells eatables like momos and rolls on his vending cart and he is being unnecessarily harassed by the authorities.

4. The Petitioner has been issued a provisional Certificate of Vending (*hereinafter*, 'CoV') dated 6th November, 2021 bearing No. URI 7410649 by the South Delhi Municipal Corporation. The CoV states that the nature of vending is of "**Food/snack with gas cylinder/fire**".

5. The grievance of the Petitioner is that the concerned officials of the Municipal Corporation of Delhi (*hereinafter*, 'MCD') and police officials are not allowing the Petitioner to peacefully vend at the vending site.

6. Ld. Counsel for the Petitioner submits that similar orders have been passed by this Court whereby vendors have been allowed to peacefully vend from the vending site. It is submitted that the same ought to have been passed in the present case also.

7. Further, Ld. Counsel for the Petitioner also submits that the Petitioner should be given exemption as being a mobile vender. In this regard, reliance is placed upon order dated 8th January, 2026 in *W.P.(C) 19499/2025* titled ***Rahul Kumar Bharti v. Municipal Corporation of Delhi & Ors.***

8. On the other hand, Ms. Puja S. Kalra, Ld. Standing Counsel appearing on behalf of MCD submits that Nehru Place is a 'No-hawking' and 'No-vending zone'. The same had been recognized by the Coordinate Bench of this Court in *LPA 623/2016* titled ***Federation of Nehru Place Association (Regd.) v. South Delhi Municipal Corporation through its Commissioner & Ors.*** The said declaration has been made *vide* the order dated 2nd April, 2018 in the following terms:



*“7. In the case of **Bachchu Singh** (supra), this court had categorically reached a conclusion that Nehru Place area is a ‘no hawking’ and ‘no vending’ zone. Relevant paragraphs of the aforesaid judgment read as under:*

15. We have heard the learned counsels for the parties. The basic facts are not in dispute, i.e. both the petitioners claim to be street vendors and claim to be carrying out hawking activities at Nehru Place District Centre. The petitioners claim that they are regular street vendors and thus, are entitled to protection under Section 3(3) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. It is also the stand of the petitioners that till the TVC is functional, they should be allowed to vend at their respective sites and earn their livelihood. Photographs have been filed in support of their existence at the site.

*16. We are unable to accept the submission of the learned counsel for the petitioners, for the reason that in case the petitioners were regular street vendors, their names would have found mentioned in either of the two lists prepared under the directions of the Supreme Court by Thareja and Chopra Committees. We also find that in the affidavit filed before the Supreme Court, various lists were provided of the persons who were either part of the **Manushi Sangathan** (supra) or those vendors who had approached different Courts and were granted protection. In case, the petitioners were regular street vendors, certainly their names would have figured in any of the proceedings, which is not there.*

17. Additionally, prima-facie, we are of the view that the DDA (erstwhile Land Owning Agency)



and the MCD have taken a consistent stand that Nehru Place District Centre is a “No Hawking No Vending” zone and they shall not allow any other person to vend except for those persons who find mentioned in their affidavit and form part of the order of the Supreme Court which has been reproduced above and some other persons who have been granted protection by different Courts.

18. Copy of the minutes of the meeting dated 10.08.2009, post the order passed by the Division Bench in Manushi Sangathan, have been filed in LPA No.623/2016, which is also listed today. Relevant portion reads as under:-

“Item No.55/2009

Sub: Rejuvenation of District Centre Nehru Place, New Delhi

F.10(7)/07/CC-XV/DDA

The Authority also discussed the issue of rejuvenating the Nehru Place District Centre. After detailed discussions, it was decided that Nehru Place District Centre should be declared as “No Hawking Zone”.

2) The Authority also decided that separate areas should be identified and earmarked as vending zones in different parts of the city.”

19. The matter was placed before the Committee by a note for confirmation. The note reads as under:

“Item No.56/2009

12.10.2009

Sub: Confirmation of the minutes of the meeting of the Delhi Development Authority held on 10.8.2009.

File No. F.2(2)2009/MC/DDA

Minutes of the meeting of the Delhi



Development Authority held on 10.8.2009 are submitted for confirmation of the Authority.

(Appendix "A" Page No.2 to 19).

RESOLUTION

Minutes of the meeting of the Delhi Development Authority held on 10.9.2009 were confirmed as circulated."

20. The minutes of the Meeting dated 10.8.2009 were confirmed on 12.10.2009. The meeting was held under the Chairmanship of the Lieutenant Governor of Delhi; Vice Chairman; 12 Members; Secretary; and 20 Special Invitees and senior officers. Relevant portion of the confirmation reads as under:

"ITEM NO.56/2009

Sub : Confirmation of the minutes of the meeting of the Delhi Development Authority held on 10.9.2009 at Raj Niwas, Delhi, File No. F.2(2)2009/MC/DDA.

Minutes of the meeting of the Delhi Development Authority held on 10.8.2009 were confirmed as circulated."

21. Taking into consideration the submissions made by the learned counsel for the parties, we are of the view that the DDA, erstwhile land owning agency, and the SDMC, have taken a consistent stand that Nehru Place District Centre has been declared as a No Hawking and No Vending Zone, however, while deciding LPA No.766/2008 a Division Bench of this Court while disposing of the LPA directed to continue with the pilot project and the appellant-NGO Vendors of Manushi were permitted to hawk in the area demarcated by the DDA. It was left open to the DDA to examine whether Nehru Place or the said



area should be declared a no hawking area. After the passing of the order by the Division Bench on 17.4.2009, the matter was considered by the DDA in the meeting held on 10.8.2009. The Minutes of the meeting have been extracted. The minutes were duly confirmed. Subsequently as stated in the affidavit filed before the Supreme Court of India, protection was granted in the LPA only to members of Manushi Sangathan and certain other street vendors who were enjoying protection of orders passed by different Courts. The names of both the petitioners do not find mentioned in either of the list prepared by Thareja Committee, 1992 or Chopra Committee. Resultantly, we find no merit in the present writ petition and the same is accordingly dismissed.”

8. In view of the judgment passed in Bachchu Singh (supra), the impugned order dated 12.09.2016 is set aside. It is declared that the Nehru Place area is ‘no hawking’ and ‘no vending’ zone. The municipal authorities shall be bound by the stand taken by them in the case of Bachchu Singh (supra) and the same would apply to the present case as well. Resultantly, the appeal is allowed. ”

9. Heard. This Court comes across a stark image of the vending site, near the Nehru Place metro station in the photograph filed by the Petitioner. The said photograph is extracted below:



10. On the one hand, steps are being taken to make city infrastructure much more convenient, comfortable and hygienic for the citizens, travellers and passengers. On the other hand, a perusal of the above photograph reflects an unfortunate situation where street vendors fail to maintain even basic



standards of hygiene and cleanliness while vending from their carts.

11. The photograph clearly shows that the Petitioner is operating his vending activity in front of the metro station, without maintaining basic standards of cleanliness, with garbage strewn across the road.

12. There is an absolute obligation upon all vendors, including mobile vendors, to maintain basic hygiene and ensure cleanliness of the surrounding area, failing which the MCD can cancel their CoV and also remove them from the vending area, in accordance with law. The concerned authorities *i.e.*, MCD and the local police also have a clear role to play in this matter.

13. Additionally, the CoV of the Petitioner is that of a mobile vendor and the Petitioner should vend in terms of the conditions in the COV. However, the manner in which the Petitioner has encroached upon the pavement and the road in the vicinity of the metro station, with garbage strewn all across the vending area, would not be permissible even with a provisional CoV.

14. Moreover, Nehru Place area is a No-hawking and No-vending zone, as recognized by the Coordinate Bench of this Court in the ***Federation of Nehru Place Association (Regd.)(Supra)***.

15. Thus, the prayer of the Petitioner in the present petition is rejected. Accordingly, the MCD shall take necessary steps in accordance with law.

16. The present petition, along with pending applications, is dismissed in the above terms.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

FEBRUARY 2, 2026/dk/sm