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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1355/2026 & CM APPL. 9035/2026

PRADEEP

.....Petitioner

Through: Mr. Aditya, Mr. Vipin Kumar, Mr. Kailash Kumar Jha, Mr. Anjani Kumar Mishra, Ms. Pralika Chakraborty and Mr. Fareeduddin, Advs. (M: 8699723746)

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. Niraj Kumar, Sr. Central Govt. Counsel with Mr. Chaitanya Kumar & Mr. Rahul Rathi, SI PS- Sangam Vihar. For R-3/Delhi Police. (M: 9810020341)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **10.02.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner – Mr. Pradeep under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from the vending site *i.e*, under Foot Over Bridge, Near Mohalla Clinic, Mehrauli Badarpur Road, Sangam Vihar, Central Zone, Ward-S-85, New Delhi (*hereinafter*, ‘the



vending site’).

3. The Petitioner is a street vendor vending from the vending site in Sangam Vihar. The Petitioner has set up a cart to vend food items.

4. The case of the Petitioner is that he was surveyed by the Town vending Committee, South Delhi Municipal Corporation in 2021. Thereafter, a *provisional* Certificate of vending (*hereinafter*, ‘CoV’) bearing URI No. 2336086 was issued to the Petitioner, under the category of ‘**Food/Snack with gas cylinder/fire**’.

5. The further case of the Petitioner is that the concerned officials of the Municipal Corporation of Delhi (*hereinafter*, ‘MCD’) had seized the goods of the Petitioner on 22nd January, 2026, despite the Petitioner holding a provisional CoV. Hence, the present petition.

6. Mr. Aditya, Id. Counsel for the Petitioner submits that goods of the Petitioner had been seized by the MCD on 22nd January, 2026.

7. Id. Counsel on behalf of the MCD submits that the Petitioner is not complying with the conditions of the vending as per the *provisional* CoV.

8. The Court has considered the matter. A perusal of the *provisional* CoV of the Petitioner shows that the Petitioner is entitled to vend ‘**Food/Snacks with gas cylinder/fire**’. Recently, in a similar matter i.e., in *W.P.(C) 19391/2025* titled *Mohd Badruddin v. Municipal Corporation of Delhi & Ors*, a vendor with a *provisional* CoV, who was also entitled to vend ‘Food/Snacks with gas cylinder/fire’, has been exempted by this Court to comply with Condition No. 11 of the CoV.

9. Similar directions as have been passed in *W.P.(C) 19391/2025* have also been passed by this Court in *W.P.(C) 453/2026* titled *Govind Singh Bhandari v. MCD & Ors.*, wherein the Petitioner was exempted from



Condition 11 of the CoV.

10. Under these circumstances and bearing in mind that similar orders that have been passed by this Court, the following directions are issued:

- a) The Petitioner shall be permitted to operate his vend but shall use a gas cylinder which does not occupy too much space. It is made clear that only a small or medium sized gas cylinder for heating of food and snacks shall be used by the Petitioner;
- b) The Petitioner shall restrict himself to a particular space, where he is operating from, and shall not extend/encroach to the pedestrian areas or cause obstruction in movement of the pedestrians;
- c) The Petitioner shall also be obliged to maintain cleanliness and hygiene around the vend, which he is working from. He shall ensure the availability of a dustbin near his vend;
- d) Subject to the above, Condition No.11 in the CoV, shall not apply to the Petitioner. The Petitioner shall comply with all the other conditions in the CoV;
- e) It shall be ensured that the Petitioner shall not create any third party interest in this provisional CoV and there shall be a bar on sub-letting or any handing over possession to any third party;
- f) No permanent or temporary construction shall also be erected by the Petitioner.

11. The above stated directions shall be subject to any plan which the Town Vending Committee-II may be coming up with in terms of section 21 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

12. Accordingly, subject to adhering to the above conditions, the Petitioner



shall be allowed to continue with his vending activities.

13. The present petition, along with pending application, is disposed of in the above terms.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

FEBRUARY 10, 2026/dk/sm