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

+ **W.P.(C) 1659/2026**

RAMA DEVI

.....Petitioner

Through: Mr. Aditya, Adv.
versus

MUNICIPAL CORPORATION
OF DELHI AND ORS.

.....Respondents

Through: Ms. Mehrunisa Anand, Adv. for R-1
& 2. (M: 9717100486)
Ms Vaishali Gupta, Adv. for R-3.
(M: 8383031929)
Mr. Pratap Singh, Adv. for R-4 & 5.
(M: 9999201017)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **09.02.2026**

1. This hearing has been done through hybrid mode.
2. This is a petition filed by the Petitioner seeking directions to the Respondents to allow the Petitioner to peacefully vend at her vending site *i.e.*, on the Footpath, Opposite Shop No. M-61, M-Block, Greater Kailash II, South Zone, Ward-S-87, New Delhi (*hereinafter*, 'the vending site') without any hindrance or disturbance.
3. The Petitioner is a street vendor, who has been issued a provisional Certificate of Vending bearing URI No. 1396028 (*hereinafter*, 'the COV'), permitting her to vend from her vending site, subject to the conditions provided in the COV.
4. On the last date of hearing, the Court had perused the material on



record, including the photographs provided by the Petitioner, as also by the Id. Counsel for the Municipal Corporation of Delhi (*hereinafter*, 'MCD'), which portrayed two completely different pictures of the vend of the Petitioner. Accordingly, on the said date i.e. 5th February, 2026, the Court issued the following directions:

“9. Clearly, the photograph filed by the Petitioner along with the present petition is misleading and has been cropped off to ensure that the entire image of her vend is not visible.

10. Such misleading photographs ought not to be filed by the vendors, as this would amount to serious misrepresentation and interference in administration of justice and contempt action can be initiated by the Court against such vendors.

11. Accordingly, Id. Counsel for the Delhi Police, who is present in Court, has been handed over a copy of the photograph that has been placed on record by Ms. Anand, Id. Counsel for the MCD.

12. Concerned SHO, P.S. C.R. Park shall visit the vend of the Petitioner and shall verify the status of the same and shall accordingly file a proper status report.”

5. Today, a status report on behalf of the Delhi Police has been placed on record, along with a statement made by Mr. Mahender Kumar, the son of the Petitioner, who is running the *bidi/cigarette* kiosk, which is visible in the photographs placed on record by the MCD. The relevant extract of the status report filed by the Delhi Police is as under:

“1. That this petition has been filed by the petitioner, Smt. Rama Devi, seeking the passing of an order directing the respondents to allow the petitioner, a street vendor, to peacefully vend at her vending site, i.e., on the footpath opposite Shop No. M-61, M-Block, Greater



Kailash-II, South Zone, Ward No. S-87, New Delhi, without any hindrance being caused by any public officials.

2. That in the said petition, the petitioner has alleged that despite having a vending certificate bearing (URI) No. 1396028, officials of the MCD and the police are not allowing her to peacefully vend at her designated vending spot.

3. That during the site visit, the petitioner's Son Mahender Kumar produced one vending certificate bearing (URI) No. 1396028 and stated that from this certificate he can sell magazines and newspapers, etc.

4. That during the site inspection, it was observed that, in addition to the magazine and newspaper tehbazari, a bidi-cigarette etc. kiosk was also installed at the same location. The son of the petitioner stated about said kiosk that the survey of the said kiosk has already been conducted. (photographs attached).

5. That the said Bidi-Cigarette etc. kiosk is installed by Mahender Kumar Son of the petitioner.

6. That the police did not remove any encroachment, however, police assistance is provided on demand by any civic agency to maintain law and order.

7. That it is respectfully submitted that no harassment has been caused by the police to the petitioner. Whenever police force is required by the MCD or other civic agency the same is provided for the purpose of maintaining law and order."

6. On behalf of the MCD, Ms. Anand, Id. Counsel submits that the Petitioner is the only person having a provisional COV to vend at the vending site, and the same is issued under the category of 'Others', which means that the Petitioner falls in the category of mobile, cycle vendors who vend in markets, fairs, etc. Therefore, the Petitioner cannot run a stationary vend. It is further submitted that the son of the Petitioner has not been issued the COV and in any case, and thus, he cannot put up a stationary vend next to his



mother's vend.

7. The Court has considered the matter and has perused the status report placed on record, including the statement of Mr. Mahender Kumar.

8. According to the statement of Mr. Mahender Kumar, son of the Petitioner, he seems to have participated in the recently conducted survey by the Town Vending Committee (*hereinafter, 'the TVC'*).

9. Accordingly, the TVC is directed to consider the case of Mr. Mahender Kumar with respect to his vend, and then take a decision in respect thereof, in accordance with law.

10. For assistance of the TVC, a copy of the petition in this case, as also the status report filed by the Delhi Police and the photographs placed on record by the MCD, shall together be placed before the TVC.

11. In view of the fact that the COV of the Petitioner itself clearly is for mobile vending under the category of 'Others', it is directed that the Petitioner shall not be disturbed from vending, as long as she adheres to the terms and conditions of the COV.

12. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

FEBRUARY 9, 2026/dk/ss