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

Date of Decision: 11th February, 2026

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W.P.(C) 1932/2026

RADHEY SHYAM AND ANR.

.....Petitioners s

Through: Mr. Sanjay Baniwal, Mr. R.K. Seewal
and Ms. Manisha, Advs. (M:
8810641307)

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Puja S. Kalra, Adv. for MCD. (M:
9312839323)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners -Mr. Radhey Shyam and Mr. Joginder Singh under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to allow the Petitioners to peacefully vend at their designated spot *i.e.*, Near CNG Pump, Arya Nagar Apartments, Shahdara South Zone, Ward - 19E.
3. The Petitioners– Mr. Radhey Shyam and Mr. Joginder Singh, who are street vendors holding vending certificate bearing URI No. 6353229 and URI No. 3920456, respectively, have filed the present writ petition praying for issuance of directions against the Municipal Corporation of Delhi to not interfere with the peaceful vending being conducted by them in terms of their



respective provisional CoVs.

4. The photographs of the vend of the Petitioners has been placed on record, which are set out below:

- Petitioner No. 1– Mr. Radhey Shyam





- Petitioner No. 2– Mr. Joginder Singh



5. The Court notes that the vending certificates issued to the Petitioners are under the category of '*Food /Snack with gas cylinder / fire*'.

6. 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.

7. The said Condition No. 11 of the COV reads as under:

“11. Mobile vendors shall not stay or vend more than 30 minutes or time prescribed by the TVC at place in a vending/squatting zone.”

8. After hearing, Id. Counsel appearing for the parties and perusing the provisional CoVs of the Petitioners, as also the photographs, this Court is inclined to pass the following directions as have been passed in similar matters recently, *i.e.*, in ***W.P.(C) 15082/2025*** titled ***Rajendra Singh v. Commissioner of Police and Ors.*** vide order dated 2nd February, 2026 and in ***W.P. (C) 1609/2026*** titled ***Rihana v. MCD & Ors.*** vide order dated 5th February, 2026.

9. Thus, in the present petition as well, the following directions are issued:

- a) The Petitioners shall be permitted to operate their 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 Petitioners;
- b) The Petitioners shall restrict themselves to a particular space, where they are operating from, and shall not extend/encroach to the pedestrian areas or cause obstruction in movement of pedestrians;
- c) The Petitioners shall also be obliged to maintain cleanliness and hygiene around the vend, which they are working from and shall ensure the presence of a dustbin near their vend;
- d) Subject to the above, Condition No.11 in the COV shall not apply to the Petitioners. The Petitioners shall comply with all the other conditions in the COV.
- e) It shall be ensured that the Petitioners 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 Petitioners.

10. 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 and no vested rights shall be claimed.

11. The present petition is disposed of in the said terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

SHAIL JAIN
JUDGE

FEBRUARY 11, 2026
dj/ss