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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) 1940/2026

PRATAP KARAN

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Meherunnisa Anand and Mr. Dev
Pratap Shahi, Advs. (M: 9717100486)

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 Petitioner -Mr. Pratap Karan under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to allow the Petitioner to peacefully vend at his designated spot *i.e.*, at Old Rajinder Nagar, Bada Bazar Marg, Back Side of Mother Dairy Safal Booth, New Delhi, Karol Bagh Zone, Ward - 102N.
3. The Petitioner, who is a street vendor holding vending certificate bearing URI No. 3403295 has 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 him in terms of his provisional CoV.
4. The photograph of the vend of the Petitioner has been placed on record,



2026:DHC:1194-DB



which is set out below:





5. The Court notes that the vending certificate issued to the Petitioner is 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 CoV of the Petitioner, as also the photograph, 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 Court issues the following directions:

- 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 pedestrians;



- c) The Petitioner shall also be obliged to maintain cleanliness and hygiene around the vend, which he is working from and shall ensure the presence of a dustbin near the 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.
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