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

+ **CONT.CAS(C) 281/2026, CM APPL. 11379/2026**

CHNADRA SHEKHAR JHAPetitioner

Through: Ms. Renu, Mr. Piyush Kumar Singh,
Ms. Swagata Gupta, Advs. for Mr.
Kamlesh Kumar Misra, Advs.
(through v/c)

versus

SHRI SANJEEV KHIRWAR AND ORSRespondents

Through: Mr. Rushil Pathania, Adv. for Mr.
Rajesh Kumar, SPC for UOI (through
v/c)
Mr. Ashutosh Gupta, ASC and Mr.
Pulkit Garg, Adv. for MCD (through
v/c)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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23.02.2026

1. The present petition alleges wilful disobedience with the directions contained in the judgment / order dated 26.04.2023, passed in W.P.(C) 5308/2023. The said order reads are as under:

“The present petition has been instituted by the petitioner, under Article 226 of the Constitution of India, 1950, praying as follows:

“I. Pass an Order directing the respondents to ensure that that the petitioner is allowed to peacefully vend on his vending site i.e on the Vacant Land, Near Vedant Desika Mandir Marg, Near DDA Market, Ber Sarai, South Zone, Ward-S-67, Delhi without any hindrance being caused by any public official.

II. Pass an order directing the respondents, their officials, their agents etc. be restrained from harassing the petitioners from peacefully vending at their vending sites.

III. Pass an order directing the SHO, PS Kishan Garh to ensure that the petitioner street vendor shall not be forcefully removed from his vending site.



IV. Pass an order for quashing and setting aside the terms of certificate of vending printed at the back side of the vending certificate to the extent which is not applicable to a stationery street vendor.

V. Pass any such directions or order that this Hon'ble Court deems fit and proper in the facts and circumstances of the above-mentioned case”.

It is an admitted position that pursuant to the survey carried by the concerned Town Vending Committee, Mr. Chander Shekhar Jha, has been issued a certificate of vending dated 06.11.2021 (URI: 4390746).

*In view of the foregoing, learned counsel appearing on behalf of the petitioner, limits the relief in the present writ petition, to a direction to the Municipal Corporation of Delhi, to permit Mr. Chander Shekhar Jha to continue to vend within **South Zone, Ward- S-67**, strictly in compliance with the terms and conditions of the said certificate of vending, annexed as **Annexure P-2**.*

*In view of the foregoing, the present writ petition is partly allowed; and the Municipal Corporation of Delhi is directed to permit Mr. Chander Shekhar Jha, to vend within **South Zone, Ward- S-67**, subject to the terms and conditions of the said certificate of vending dated 06.11.2021 without let or hindrance.*

No further directions are prayed for.

With the above directions, the writ petition is disposed of accordingly. Pending application(s), if any, also stand disposed of.

Copy of this order be uploaded on the website of this Court.”

2. The petitioner submits that the respondents have acted in utter contravention of the statement recorded in the said judgment. It is further submitted that the petitioner's goods / kiosk were wrongfully seized, thereby preventing him from exercising his fundamental rights to carry on vending activities to earn his livelihood.

3. Learned counsel for the respondents submits, on instructions, that the petitioner's goods / kiosk have been returned. He assures and undertakes, on instructions, that no impediment shall be placed on the petitioner continuing his vending activities within South Zone, Ward S-67, in strict compliance with the terms and conditions of the certificate of vending issued in favour



of the petitioner.

4. The said statement is taken on record.

5. The respondents are cautioned against any unauthorized seizure/ confiscation of the goods/ kiosk of the petitioner or any other person without compliance with the necessary legal formalities *inter-alia* issuance of the seizure memo in accordance with the applicable rules / regulations.

6. The petition is disposed of in the above terms.

SACHIN DATTA, J

FEBRUARY 23, 2026/cl