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

+ **W.P.(C) 2888/2026**

PRITAM SINGH RATHORE

.....Petitioner

Through: Mr. Vipin Kumar, Mr. Aditya
(8699723746), Ms. Pralika
Chakraborty, Mr. Kailash Kr. Jha, Mr.
Anjani Kr. Mishra, Mr. Fareeduddin,
Ms. Srejal Mishra, Mr. Akhil Rexwal,
Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Beenashaw N. Soni, SC for MCD
with Ms. Ann Joseph, Adv.
Ms. Disha Choudhary, GP(UOI),
along with SI Raghu Raj (P.S. Sangam
Vihar)
Ms Vaishali Gupta, Panel Counsel
(Civil) for GNCTD

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **09.03.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-Pritam Singh Rathore 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 her designated spot *i.e.*, on the Footpath/Open Space, Ratiya Marg, Near MB Road, Central Zone, Ward-S-85, New Delhi.
3. The Petitioner, who is a street vendor has been issued a Certificate of Vending (hereinafter 'CoV') bearing no. URI No. 8023407 by the Municipal



Corporation of Delhi (hereinafter, 'MCD') in the category of 'Food Snacks with gas cylinder/fire'. The details of the same are as under:

Sl.	Name and address of the Street Vendor	Nature/Type of Vending	Place of Vending	Vending Certificate details
1.	Pritam Singh Rathore S/o Gendalal Rathore R/o H. No. 16/1349, Sangam Vihar, South Delhi, Delhi-110062.	Food Items.	On the Footpath/open space, Ratiya Marg, near MB Road, Central Zone, Ward-S-85, New Delhi.	URI No. 8023407. Issued on Date: 06.11.2021..

4. The Petitioner has placed on record a photograph of his vend which is extracted below:



5. On behalf of the MCD, Ms. Beenashaw N. Soni, Id. Counsel has



pointed out that cleanliness is not being maintained in the area. Id. Counsel has also shown a short video in order to establish the manner in which the vend is being operated. In the said video, apart from the footpath, even part of the road is getting blocked for traffic due to the vend of the Petitioner. A photograph of the vend of the Petitioner has also been handed over by the Id. Counsel. The same is as under:





6. It is submitted on behalf of the Delhi Police that the Police Authorities have no role to play in this matter.

7. The Court has perused the photographs filed by the Petitioner and the MCD. There are clearly some unauthorised encroachments next to the Petitioner's vend.

8. 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 from complying with Condition No. 11 of the CoV.

9. 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."

10. After hearing, Id. Counsel appearing for the parties and perusing the provisional CoV of the Petitioner, 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.

11. 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.
12. This Court further notices that bikes and other two wheelers are being parked in front of the vending cart of the Petitioner which is clearly blocking the road as is evident from the video. Accordingly, a further condition is also added to the following effect:
- g) The Petitioner shall also ensure that none of the customers park their vehicle or two wheelers in a manner so as to block the traffic on the road.
13. In addition, the MCD shall also remove the encroachment next to the vend of the Petitioner so that if any customers wish to temporarily park or stand, they can do so without blocking the road.
14. The SHO of the concerned area shall co-operate in implementing the above directions.



15. 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.

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

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MARCH 9, 2026/ys/ck