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

+ **W.P.(C) 3122/2026**

SANJAY YADAV

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr. M.S. Oberoi, SC for MCD
Ms. Vaishali Gupta and Ms. Rashi
Aggarwal, for R3
Mr. Vikas Kumar Sharma, SCGC for
R4 and R5

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **12.03.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner - Sanjay Yadav under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from the footpath, Netaji Subhash Marg, near Jain Mandir, adjacent to subway Boundary Wall, City-SP Zone, Ward-84-N, New Delhi (*hereinafter*, 'vending site').
3. The Petitioner, who is a street vendor has been issued a Certificate of Vending (*hereinafter* 'CoV') bearing no. **URI No. 7942014** by the Municipal Corporation of Delhi (*hereinafter*, 'MCD') in the category of '**Food Snacks**'



with gas cylinder/fire’.

4. It is the case of the Petitioner that he is being constantly harassed by the concerned Police officials and the MCD officials, despite having valid CoV.

5. Ld. Counsel for the MCD submits that the Netaji Subhash Marg area is a no vending zone.

6. Heard. A perusal of the CoV would show that the address of the Petitioner is near Sisganj Gurudwara, 1820, Chandni Chowk, Delhi and the category is **Food Snacks with gas cylinder/fire**. The Zone of the vending is also City- SP Zone, Ward 84-N.

7. The Petitioner is vending from Netaji Subhash Marg which is a ‘No vending zone’.

8. The Court has already considered similar matters wherein street vendors have been allowed to vend subject to certain conditions. 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 in the category of ‘*Food/Snacks with gas cylinder/fire*’, has been exempted by this Court to comply with Condition No. 11 of the CoV. 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.”

9. Similar orders have been passed by this Court in **W.P.(C) 15082/2025** titled ‘**Rajendra Singh v. Commissioner of Police and Ors**’ and **W.P. (C) 1609/2026** titled ‘**Rihana v. MCD & Ors.**’ wherein the street vendors have been allowed to vend after imposing certain conditions.



10. Under such circumstances, in the present case the Court is inclined to pass similar directions as passed in the aforesaid orders:

- a) The Petitioner shall be permitted to operate his vend, from an area which is not on Netaji Subhash Marg as the same is a No-Vending Zone. However, on his vend he 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.

11. 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.



12. 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 12, 2026/ys/sm