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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3444/2026**

MD. JAKIR

.....Petitioner

Through: Mr. Vipin Kumar, Mr. Anjani Kr. Mishra, Mr. Aditya, Mr. Kailash Kr Jha, Ms. Pralika Chakraborty, Mr. Fareeduddin & Ms. Srejal Mishra, Advs.

versus

COMMISSIONER OF POLICE AND ORSRespondents

Through: Ms Vaishali Gupta (Panel Counsel Civil, GNCTD) with Mr. Kartik Sharma, Advocate
Mr. Rahul Mourya (GP)
Ms Puja S Kalra, Adv. for MCD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **18.03.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner-MD. Jakir under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from the vending site *i.e.*, on the open space, near Police Booth, Aero city Chowk, Mahipal pur, Najafgarh Zone, Ward S-50, New Delhi (*hereinafter*, 'vending site').
3. The case of the Petitioner is that he has been vending from the vending site since 1991. He has been issued a Certificate of Vending (*hereinafter* 'CoV') by the Municipal Corporation of Delhi (*hereinafter*, 'MCD') bearing **URI No. 2300397**.
4. According to the Petitioner, the vending site is at Aerocity Chowk,



Mahipal Pur, New Delhi. It is the allegation of the Petitioner that the concerned Police officials have been repeatedly threatening him and are not allowing him to peacefully vend from the vending site.

5. On behalf of the Respondent-MCD, it is submitted that the Petitioner can be a mobile vendor in terms of the *provisional* CoV which has been issued for the Najafgarh Zone, Ward-S-50. It is submitted that the Petitioner cannot claim any rights to be a stationary vendor.

6. Further, it is also submitted that the photograph which has been filed by the Petitioner would show that he is vending from a very sensitive zone, in front of the Airport Authority of India, where no vending activity is permissible.

7. The Court has considered the matter. The photograph placed on record by the Petitioner is extracted below:



8. According to the Petitioner, the Petitioner is having a mobile vend on a



bicycle.

9. However, a perusal of the photograph would show that the bicycle is clearly not visible and it cannot be determined whether the Petitioner is having a mobile vend or not.

10. Be that as it may, the *provisional* CoV which has been issued to the Petitioner is in the category of '**Food/Snack without gas cylinder fire**' and it is for Najafgarh Zone, Ward-S-50. Additionally, one of the conditions is that the Petitioner is a mobile vendor in terms of condition no. 11 of the *provisional* CoV.

11. Accordingly, the only order that can be passed is that the Petitioner can vend his wares strictly in accordance with the conditions set out in the *provisional* CoV.

12. Further, the Petitioner shall not operate as a stationary vendor. He shall also not vend from any spot which falls in a non-vending zone. Subject to the Petitioner abiding by the terms and conditions of the *provisional* CoV, he shall not be disturbed from peacefully vending from the vending site. If the Petitioner is found in a non-vending zone, he shall be immediately removed by the authorities.

13. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MARCH 18, 2026Rahul/sm