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

Date of decision: 27th March, 2026

Uploaded on: 30th March, 2026

+ **W.P.(C) 3973/2026**

RATI LAL YADAV

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Shilpa Ohri ASC for MCD.
Ms. Gurleen Kaur Waraich SPC with
Ms. Ritu Bhardwaj GP, Mr. Jaideep Singh Waraich, Advs. and SI Ramesh Chand Ps Kotwali
Ms. Vaishali Gupta and Ms. Rashi Aggarwal, Advs.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU 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. Rati Lal Yadav under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend at his designated spot *i.e.*, on the Footpath/Open Space, in front of Old Lajpat Rai Market, City-SP Zone, Ward-84-N, New Delhi.



3. The case of the Petitioner is that he is a street vendor who is stated to be vending food items from the vending site, for several years. The Petitioner was issued a Certificate of Vending (*hereinafter*, 'CoV') bearing **URI No. 1576758** under the category '**Food/ Snack with Gas Cylinder/ Fire**', by the North Municipal Corporation of Delhi for the City SP Zone, Ward- 84-N.
4. The grievance of the Petitioner in the present petition is that he is being constantly harassed and disturbed by the concerned officials of the Municipal Corporation of Delhi (*hereinafter*, 'MCD') and Delhi police.
5. The photograph of the vending site of the Petitioner is set out below:



5. The Court has considered the matter. This Court is inclined to pass



similar directions as have been passed in similar matters being *W.P.(C) 19391/2025* titled '*Mohd Badruddin v. Municipal Corporation of Delhi & Ors.*', *W.P.(C) 15082/2025* titled '*Rajendra Singh v. Commissioner of Police and Ors.*', and in *W.P. (C) 1609/2026* titled '*Rihana v. MCD & Ors.*'

6. Since the category of the Petitioner is '*Food/ Snack with Gas Cylinder/ Fire*', the Petitioner is permitted to run the vend at the vending site, subject to the following conditions:

- i. The Petitioner shall be permitted to operate his vend, but shall use a small gas cylinder which does not occupy too much space. It is made clear that only a small sized gas cylinder for heating of food and snacks shall be used by the Petitioner;
- ii. 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;
- iii. 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;
- iv. 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;
- v. 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;
- vi. No permanent or temporary construction shall also be erected by the Petitioner.



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7. Subject to adhering to the above stated conditions, the Petitioner shall not be disturbed from vending at the vending site. If there is any violation of the above stated conditions, MCD is at liberty to take action in accordance with law.
8. 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.
9. The present petition is disposed of in the said terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

MADHU JAIN
JUDGE

MARCH 27, 2026/prg/sm