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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) 3976/2026**

IBRAHIM

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Poonam SPC for UOI with Jitender Kumar Tripathi (GP)
Ms. Meherunnisa Anand , Mr. Sirish Gupta Adv.
SI Bijender Singh
Ms. Vaishali Gupta and Ms. Rashi Aggarwal, Adv.

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. Ibrahim, 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 Footpath/Open Space, near Gate No.2 Kasturba Hospital, Kasturba Hospital Marg, Old Delhi, City-SP Zone, Ward-85-N, New Delhi.



3. The case of the Petitioner is that he is a street vendor who has been vending from the vending site since several years. The Petitioner was issued a Certificate of Vending (*hereinafter*, 'CoV') bearing **URI No. 4150045** under the category '**Food/ Snack with Gas Cylinder/ Fire**', by the North Municipal Corporation of Delhi for the City SP Zone, Ward 85-N.
4. The photograph of the vending site of the Petitioner is set out below:



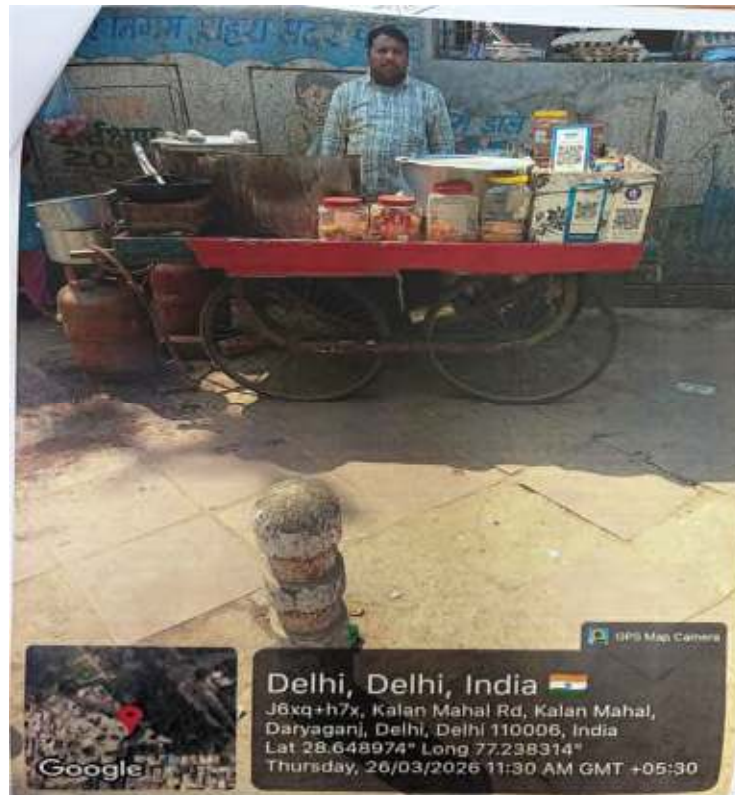
5. The submission on behalf of Id. Counsel for the Petitioner is that he is being harassed by the concerned officials of the Municipal Corporation of Delhi (*hereinafter*, 'MCD') and Delhi police, though there is no violation of



the terms and conditions of the CoV, by the Petitioner.

6. On the other hand, Ms. Meherunnisa Anand, Id. Counsel for the MCD submits that the Petitioner is in complete violation of the terms and conditions of the *provisional* CoV. In fact, in the area between Jama Masjid and Jagat Cinema, the only place permitted for vending is *Imdad Sabri Market, near Jagat Cinema*. However, the Petitioner is vending in a place which is a No-vending zone.

7. Further, Id. Counsel for the MCD has also placed before the Court a photograph to show that the Petitioner is using multiple cylinders and has also failed to keep the area clean, thereby violating the vending conditions as set out in the *provisional* CoV. The photograph placed before the Court, by the MCD, is taken on record. The same is set out below:



8. The Court has considered the matter. There is no doubt that the



Petitioner cannot vend in a No-Vending/ No-Hawking Zone. Apart from this, the 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.*'

9. 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 only vend from the vending area in Imdad Sabri Market, near Jagat Cinema. He shall move away from the location which is depicted in the photograph placed on record by the MCD;
- ii. 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;
- iii. 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;
- iv. 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;
- v. 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;
- vi. 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;

vii. No permanent or temporary construction shall also be erected by the Petitioner.

9. 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.

10. 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.

11. 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