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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 29th May, 2026

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+ W.P.(C) 7929/2026

DEEPAK PRASAD AND ANR.

.....Petitioners

Through: Mr. Sanjay Baniwal and Ms. Manisha,
Advs.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Puja S. Kalra, SC (MCD)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The Petitioners herein viz., (i) Mr. Deepak Prasad, (ii) Mr. Niam Khan, are vendors who have been issued a Certificate of Vending (hereinafter "CoV") bearing **URI No. 3527357** and **URI No. 7300859** under the category 'Electronic Items' and area of vending being Central Zone, Ward S-56.
3. The Petitioners are stated to be vending in the area from the Namo Bharat Rapid Station to Metro Gate Nos. 2-3, Railway Road, Sarai Kale Khan Area. The photographs of the Petitioners' vend is set out below:



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4. The case of the Petitioners is that they are not being allowed to peacefully vend despite having been issued the CoV.
5. Ld. Counsel for the Petitioners submits that the Petitioners have also made representations dated 30th March, 2026 and 7th April, 2026 to the Town Vending Committee, Central Zone but the same are not being considered.
6. Ms. Kalra, Id. Counsel for the Municipal Corporation of Delhi (hereinafter “MCD”) highlights that in the Sarai Kale Khan area, the Co-ordinate Bench *vide* order dated 20th February, 2026 in ***W.P.(C) 18987/25*** titled ***Sudhir Kumar Ojha v. Municipal Corporation of Delhi & Ors.***, directed removal of unauthorised encroachments and illegal hawking in respect of the said area.
7. She further submits that the Petitioners are not adhering to the terms and conditions of the CoV and are continuing to have stationary vends which is not permissible, in terms of Condition No. 11 which requires them to not be stationary for more than 30 minutes at any location.
8. The Court has heard the matter. The CoVs are always accompanied with terms and conditions which are the following:

“Terms & Conditions of the Vending Certificate

- 1. Vendor shall not have any other permanent or long-term vending certificate.*
- 2. Vending certificate is non-transferable.*
- 3. It is mandatory for the vendor to follow the vending period and zone as determined by TVC or local body.*
- 4. Vendor shall not give his vending certificate on rent in any way.*
- 5. Vendor shall not have any infectious disease.*
- 6. Vendor shall have to take care of hygiene on vending*



place/zone and nearby area and also take care of public health.

7. Vendor shall display copy of vending certificate on his place/vending site and will produce original documents to TVC/concerned inspector whenever required.

8. Vendor/Squatter shall insure that no hindrance be caused to pedestrian and vehicular moment.

9. Vendor shall not vend/sell any harmful, dangerous and polluted items. It should also be ensured that the quality of the products sold and services provided to the public conform to the prescribed standards of public health, hygienic conditions and safety.

10. The street vendor shall not do any unauthorized/illegal activity.

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.

12. Vendors will not block footpaths and will not vend on roads. Vendor should take care of space in front of vending stalls/counters on footpath for pedestrians.

13. Vending certificate can be cancelled or suspended on the basis of violations.

14. Vendor shall not build or construct any kind of permanent or temporary structure at vending site.

15. Seller shall adopt health and hygiene conditions as required by local laws and court orders.

16. Vendor have to follow all the conditions mentioned in Delhi Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2019.”

9. In addition, it is noticed that the order dated 20th February, 2026 passed in **Sudhir Kumar Ojha (supra)** directs as under:

“2. The instant public interest litigation



petition raises its concern in respect of the unauthorized and illegal vendors from Gate No.2 and Gate No.3 of Sarai Kale Khan-Nizamuddin metro station and main gate of Nizamuddin Railway station, Delhi. Photographs have been shown which do reflect presence of vendors causing disruption in the traffic and other inconvenience to the passengers who visit the area for boarding the train or the metro train.

3. *The petitioner has made a representation dated 22.11.2025 which is addressed to all the authorities entrusted with removal of illegal hawkers and vendors. The said representation is annexed as Annexure P1 to the writ petition.*

4. *Accordingly, we direct the respondents to consider the said representation dated 22.11.2025 made by the petitioner and take appropriate decision thereon with expedition. We further direct that while attending to the said representation, the authorities shall take all actions and measures which may be warranted under law to ensure that no illegal hawking or vending takes place in and around the area mentioned in the writ petition.”*

10. Bearing in mind, the terms and conditions of the CoV and the order passed by the Co-ordinate Bench, it is directed that the Petitioners shall strictly adhere to the terms and conditions of the CoV and shall operate only as mobile vendors in respect of the items for which the CoVs have been issued.

11. Any violation of the same would be liable for stringent action by the MCD /Police. Subject to the Petitioners adhering to the terms and conditions of the CoV, as extracted above, they shall not be disturbed in their vending



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process.

12. The representations made by the Petitioners shall be considered by the Town Vending Committee-II as and when it is constituted.

13. The petitions are disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

MADHU JAIN
JUDGE

MAY 29, 2026/b/msh