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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of decision: 4th May, 2026.**Uploaded on: 7th May, 2026.*+ **W.P.(C) 7042/2025 & CM APPL. 31806/2025****SHYAM SUNDER & ORS.**

.....Petitioners

Through: Mr. V.K. Mishra, Ms. Dipti Mishra,
Ms. Sheetal Verma and Mr. S. Murli
Manoharam, Advocates.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Puja S Kalra, Standing Counsel
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 present petition has been filed by 10 vendors who seek a prayer that the Respondent-MCD ought not to disturb and demolish their peaceful vending at Harkesh Nagar, South Delhi.
3. The details of the provisional certificates of vending (*hereinafter*, 'COV') of each of the Petitioners and their respective categories are set out below:-

S.No.	Name	Provisional Certificate vending No.	Category
Petitioner No.1	Shyam Sundar	URI 9345439	Food/Snack with



			Gas Cylinder/Fire
Petitioner No.2	Rubendra Kumar Jha	URI 3587510	Others
Petitioner No.3	Pramod Kumar Raghav	URI 3870360	Others
Petitioner No. 4	Anil Kumar	URI 4497134	Food/Snack without Gas Cylinder/Fire
Petitioner No. 5	Subhash Yadav	URI 9334558	Food/Snack with Gas Cylinder/Fire
Petitioner No. 6	Karamveer	URI 2553655	Others
Petitioner No. 7	Ashok Das	URI 4859438	Others
Petitioner No. 8	Ram Lal	URI 1689302	Others
Petitioner No. 9	Rajesh Kumar	URI 6641818	Fresh
Petitioner No. 10	Jay Kumar Yadav	URI 7331827	Food/Snack with Gas Cylinder/Fire

4. On the previous date of hearing, the Court had directed a tabulation to be filed by the Petitioners. The same has now been placed on record and is extracted above.

5. The table above would show that the persons at serial numbers 1, 5 and 10 have provisional certificates of vending under the category '**Food/Snack with Gas Cylinder/Fire**'. In view thereof, the Court is inclined to pass the 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.**' Accordingly, the said vendors, *i.e.* Petitioner No. 1,5&10 are permitted to vend peacefully, subject to the following conditions:-



- a) The Petitioners shall be permitted to operate their vend but 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 Petitioners;
 - b) The Petitioners shall restrict themselves to a particular space, where they are operating from, and shall not extend/encroach to the pedestrian areas or cause obstruction in movement of pedestrians;
 - c) The Petitioners shall also be obliged to maintain cleanliness and hygiene around the vend, which they are working from;
 - d) Subject to the above, Condition No.11 in the COV shall not apply to the Petitioners. The Petitioners shall comply with all the other conditions in the COV.
 - e) It shall be ensured that the Petitioners 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 Petitioners.
6. 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.
7. Insofar as the other Petitioners at serial numbers 2, 3, 4, 6, 7, 8 and 9 are concerned, they shall strictly abide by the terms and conditions of their respective CoVs and shall vend as mobile vendors. They shall not put up any permanent structures and also shall maintain cleanliness around their vend.
8. Since the Petitioners have been removed from their respective vending



sites by the MCD, all the Petitioners shall approach the concerned Assistant Commissioner, MCD who shall identify and allocate to them the place where they can vend. The Petitioners shall make sure that they do not vend from non-vending sites – in which case they would be liable to be removed.

9. The petition is disposed of in these terms. All pending Applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

MADHU JAIN
JUDGE

MAY 4, 2026
MR/SS