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

+ **W.P.(C) 15064/2025 & CM APPL. 76872/2025**

MANOJ

.....Petitioner

Through: Mr. Vipin Kumar, Mr. Anjani Kr. Mishra, Mr. Aditya, Mr. Kailash Kr. Jha, Ms. Pralika Chakraborty, Mr. Areeduddin and Ms. Srejal Mishra, Advocates (M: 8699723746).

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr. Tushar Sannu (Standing Counsel) and Mr. Fajallu Rehman, Advocate for MCD (M: 9911991166).
Mrs. S. S. Surana, CGSC with Mr. Waseem Ahmad, Advocate for R-3 (M: 7017402174).
Mr. Atul Krishna, Sr. Panel Counsel for R-4 and 5 (M: 8010414123).
Mr. Anubhav Gupta and Ms. Rashi Aggarwal, Advocates (M: 8076720913).

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% 18.03.2026

1. This hearing has been done through hybrid mode.
2. The Petitioner in this case has a certificate of vending which is provisional in nature, bearing No. URI 9561788 (*hereinafter, 'the COV'*). The same is issued in the category of "Food/Snack with gas cylinder/fire".
3. The Petitioner is vending on the footpath, August Kranti Marg, near



Max Hospital, Panchsheel Park, Saket, South Zone, Ward-S-86 (*hereinafter, 'the vending spot'*).

4. The case of the Petitioner is that he has also been surveyed in the recently conducted survey by the Town vending Committee. The prayer of the Petitioner is that he may be permitted to peacefully vend at his vending spot without any disturbance by the Respondents.

5. An affidavit has been filed by the MCD in this matter and the stand of the MCD is that the COV of the Petitioner is provisional in nature and the final COV is yet to be issued to the Petitioner after TVC-II is constituted and the vending plan is prepared by the MCD. The stand of the MCD further is that the Petitioner cannot operate from any specific site since he is a mobile vendor and further verification is yet to be carried out before issuing a permanent COV to the Petitioner.

6. Heard. Recently, in a similar matter *i.e.*, in ***W.P.(C) 19391/2025*** titled ***Mohd Badruddin v. Municipal Corporation of Delhi & Ors.***, a vendor with a provisional COV, who was also entitled to vend '*Food/Snacks with gas cylinder/fire*', has been exempted by this Court from complying with Condition No. 11 of the COV.

7. The said Condition No. 11 of the COV of the Petitioner reads as under:

"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."

8. After hearing Id. Counsels appearing for the Petitioner and for the MCD and perusing the provisional COV, this Court is inclined to pass the following directions as have been passed in similar matters recently, *i.e.*, in ***W.P.(C) 15082/2025*** titled ***Rajendra Singh v. Commissioner of Police and Ors.*** *vide*



order dated 2nd February, 2026 and in ***W.P. (C) 1609/2026*** titled ***Rihana v. MCD & Ors.*** vide order dated 5th February, 2026.

9. Thus, in the present petition as well, the Court issues the following directions:

- a) The Petitioner shall be permitted to operate his 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 Petitioner;
- b) 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;
- c) 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;
- d) 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.
- e) 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.
- f) No permanent or temporary construction shall also be erected by the Petitioner.

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, J.

MADHU JAIN, J.

MARCH 18, 2026
MR/msh