



2026:DHC:7848-DB



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

Date of decision: 15th September, 2026

Uploaded on: 17th September, 2026

CNR No. DLHC010435042026

+ **W.P.(C) 13401/2026**

VIJAY DAS

.....Petitioner

Through: Mr. Aditya, Mr. Anjani Kumar Mishra, Mr. Vipin Kumar, Ms. Pralika Chakraborty and Mr. Fareeduddin, Advs.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Ms. Meherunnisa A. Jaitley, Mr. Aryan Tyagi, Mr. Jaskeerat Singh, Advs. for R-1 and R-2/MCD.
Ms. Aanchal Rajput, Adv. for R-3/GNCTD.
Mr. Raghvendra Shukla, SPC with Mr. Sarvesh P Shrivastava, GP, Mr. Manu Shukla, Adv. for R-4 and R-5. SHO PS Adarsh Nagar.

**CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE VIKAS MAHAJAN**

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from

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the vending site *i.e.*, On the Footpath/Open Space, Opp. A12, Near Adarsh Nagar Metro Station, Adarsh Nagar, Civil Lines Zone, Ward-17-N, New Delhi (*hereinafter* “the vending site”).

3. The Petitioner is a street vendor who has been vending from vending site for several years.

4. The Petitioner holds a *provisional* Certificate of Vending (*hereinafter*, ‘CoV’) bearing **URI No. 7194907** under the category of “**Food/Snack with gas cylinder/fire**” for Civil Lines, Ward 17-N.

5. The photograph of the vending cart of the Petitioner is set out below:



6. The Petitioner is aggrieved by the fact that, despite having a *provisional* CoV, he is being repeatedly disturbed by the officials of the Municipal Corporation of Delhi (*hereinafter*, ‘MCD’) and the Delhi Police, and not being



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allowed to conduct his vending activities peacefully.

7. The submission of Id. Counsel for the Petitioner is that he may be permitted to vend without the imposition of condition No.11 in the *provisional CoV*.

8. Id. Counsel for the MCD has placed on record various photographs of the road in question, from where the Petitioner is vending, as well as the service lane situated right next to the Adarsh Nagar Metro Station.

9. The said photographs are taken on record and are set out below:



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10. It is the submission of Id. Counsel for MCD that the area is extremely congested, and that the traffic around the Adarsh Nagar Metro Station, including the ingress and egress thereto, is being detrimentally affected.

11. It is also submitted that the MCD is taking a decision to relocate the vendors to a by-lane so that the said service lane can remain free from congestion and be kept open for the smooth movement of traffic and pedestrians.

12. Heard the Id. Counsel for the parties. The Court has perused the photographs placed on record by the Id. Counsel for the MCD.

13. A perusal of the photographs would reveal the following:

- (i) That there is extreme congestion in the service lane.
- (ii) That the area also requires to be maintained in a clean and orderly manner, particularly as it runs parallel to the Ring Road and is next to



the Metro station.

(iii) That the Petitioner is occupying a much larger area, by placing side tables, stands, service counters, etc., all of which would not be permissible in terms of the *provisional* CoV.

14. Considering the congestion in the area, though the Petitioner is entitled to the relief, as has been granted in similar petitions concerning vendors with *provisional* CoVs under the category of '**Food/Snack with gas cylinder/fire**', in the facts and circumstances of this case, the following directions are issued:

(i) The Assistant Commissioner, MCD is permitted to identify a suitable area for vending in a space which would not cause any obstruction or congestion to vehicular or pedestrian traffic and where only authorised *provisional* CoV holders shall be permitted to vend.

(ii) Upon identification of such an area within two weeks, the Petitioner shall shift his vending activity to the said area.

15. In addition, upon shifting to the alternate area of vending, the Petitioner shall abide by the directions that this Court has passed in similar matters, recently, wherein vendors are vending under the category of '**Food/Snack with gas cylinder/fire**' i.e., in *W.P.(C) 15082/2025* titled '**Rajendra Singh v. Commissioner of Police and Ors.**' vide order dated 2nd February, 2026, *W.P.(C) 19391/2025* titled '**Mohd Badruddin v. Municipal Corporation of Delhi & Ors.**' vide order dated 8th January, 2026 and in *W.P. (C) 1609/2026* titled '**Rihana v. MCD & Ors.**' vide order dated 05th February, 2026. The said directions are:

(a) The Petitioner shall abide by the terms and conditions of the



provisional CoV, which are as under:

- “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”

- (b) 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 gas cylinder for heating of food and snacks shall be used by the Petitioner;
- (c) The Petitioner shall restrict himself to a particular space which shall not in any manner cause obstruction to the movement of pedestrians or cause any traffic congestion to vehicular traffic on the roads;
- (d) 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;
- (e) 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.
- (f) 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.
- (g) No permanent or temporary construction shall also be erected by



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the Petitioner.

16. The Petitioner shall approach the concerned Assistant Commissioner, MCD for identification of the alternate space, on **20th September, 2026** at **11.30 am**.

17. The SHO of the concerned area shall coordinate with the Assistant Commissioner, MCD and ensure that the congestion next to the Adarsh Nagar metro station is not caused by the street vendors.

18. 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.

19. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

SEPTEMBER 15, 2026
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