



\$~53

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 22nd September, 2026
Uploaded on: 24th September, 2026

CNR No. DLHC010453012026
 + **W.P.(C) 13971/2026**

RAM ASARE MAURYA

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI AND
 ORS

.....Respondents

Through: Ms. Shilpa Ohri, Additional Standing Counsel-MCD with Mr. Ram Kishen, LI, South Zone, MCD

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend at his designated spot *i.e.*, on the footpath, open space, A-14, Pamposh Enclave, Greater Kailash, South Zone, Ward S-86, New Delhi (*hereinafter* 'vending site')
3. The Petitioner is a street vendor, who claims to have been vending from the vending site for several years.
4. The Petitioner has been issued a provisional Certificate of Vending (*hereinafter*, 'CoV') bearing **URI:1504740** under the category "**Food/Snack**



with gas cylinder/fire” for South Zone, Ward S-86.

5. The case of the Petitioner is that he is running a tea stall, and despite having a *provisional* CoV, he is not being allowed to peacefully vend from the vending site and is being harassed by the concerned officials of the Municipal Corporation of Delhi and Delhi Police.

6. The photograph of the Petitioner’s vend, placed on record, is set out below:





7. Ms. Ohri, Id. ASC for the MCD submits, under instructions from the licensing inspector, Mr. Ram Kishan, that the Petitioner is actually vending as a stationary vendor, in A-Block, Pamposh Enclave which is a residential area.

8. Further, it is also her submission that during the BRICS Summit, the Petitioner had to be relocated, as his vend was causing congestion at the turn in Pamposh Enclave and resulting in traffic jam in the area.

9. The Court has perused the photograph placed on record. The same does not show any food items or any other snacks being vended by the Petitioner. A gas cylinder has been placed on the footpath, which is completely impermissible.

10. Under these circumstances, in these facts, this Court is inclined to pass similar directions, as have been passed 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.

11. 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”

12. The Petitioner being under the category of ***Food/snack with gas cylinder fire***, shall also abide by the following conditions:

- (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 gas cylinder for heating of food and snacks shall be used by the Petitioner;
- (b) 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;
- (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.

13. 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.

14. Subject to the Petitioner adhering to the above terms and conditions, Petitioner's vending activities shall not be disturbed.

15. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

SEPTEMBER 22, 2026 *ss/sm*