



2026:DHC:6949-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010386502026

*Date of decision: 19th August, 2026**Uploaded on: 20th August, 2026*

+ **W.P.(C) 11991/2026**

SUDESH KUMAR

.....Petitioner

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

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Ms. Puja S Kalra, Standing Counsel
with Mr. Virendra Singh, Adv. for
MCD.

Ms. Vaishali Gupta Panel Counsel
(CIVIL) GNCTD, Mr. Shaurya Tyagi,
Adv. for R-3.

Ms. Chitra Singh (GP), for R-4 & 5.

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 under Article 226 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioner to peacefully vend from the vending site *i.e.*, on the Open Space, Madhya Marg, adjoining Booster Pump Boundary Wall, Tughlakabad Extn, Central Zone, Ward-S-82, New Delhi. (*hereinafter*, 'the vending site').
3. The case of the Petitioner is that he is a street vendor who has been vending from the said vending site for several years.

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4. The Petitioner has been issued a *provisional* Certificate of Vending (*hereinafter*, 'CoV') bearing **URI No.7212923** under the category of '**Food snack with gas cylinder/fire**' for Central Zone, Ward-S-82, New Delhi.
5. The photograph of Petitioner's vend has been placed on record and the same is set out below:



6. The case of the Petitioner is that he has been vending from the vending site using a small gas cylinder, however, he is being regularly harassed by the concerned officials of the Municipal Corporation of Delhi (*hereinafter*, 'the MCD') and the Delhi Police.



7. The Court has considered the facts of this case. This Court is inclined to pass similar directions as have been 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.

8. In this background, to protect the livelihood of the Petitioner, the present petition is disposed of in the following terms:

- (i) The petitioner shall abide by the terms and conditions of the provisional CoV;
- (ii) 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;
- (iii) 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;
- (iv) 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;
- (v) Subject to the above, Condition No.11 in the CoV shall not apply to the Petitioner. The Petitioner shall comply with all the other



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conditions in the CoV;

(vi) 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;

(vii) No permanent or temporary construction shall also be erected by the Petitioner.

9. 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.

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

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

AUGUST 19, 2026/dss/sm

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