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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 21st July, 2026Uploaded on: 22nd July, 2026

+ W.P.(C) 9854/2026, CM APPL. 45895/2026 & CM APPL. 45896/2026

PHOOL CHAND & ORS.

.....Petitioners

Through: Mr. H.S. Phoolka, Sr. Adv. alongwith
Mr. Jai Shankar, Ms. Nandita Rao, Ms.
Surpreet Kaur, Ms. Lochan Rajput,
Mr. Asad, Mr. Kartik Goyal, Adv.
(M. 8447903254)

versus

MUNICIPAL CORPORATION OF
DELHI & ANR.

.....Respondents

Through: Ms. Puja S Kalra, Adv. for MCD.
Mr. Ankur Yadav, SPC for R-2. (M.
7065181667)

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 Petitioners under Articles 226 and 227 of the Constitution of India, *inter alia*, seeking directions to the Respondents to allow the Petitioners to peacefully vend from the vending sites allotted to them as per the respective Certificates of Vending (*hereinafter*, 'CoV').
3. The Petitioners are street vendors who have been carrying out their



vending activities from Ward No. 102N, 99-N, Ajmal Khan Road, Karol Bagh, Delhi and Rajinder Nagar, Delhi.

4. The Petitioners have been issued *provisional* CoVs by the Municipal Corporation of Delhi (*hereinafter*, 'MCD'). The details of the Petitioners, their respective CoVs and the categories under which they fall, are as under:

S. No.	Name of the Petitioner	COV URI No.	Category	Area
1.	Phool Chand	020110	Stationery, toys & plastic materials (Goods)	Rajinder Nagar
2.	Deepak	000519	Clothes (Goods)	Rajinder Nagar
3.	Ashok Kumar	000518	Cloth & Handloom Items	Rajinder Nagar
4.	Sunil Sharma	000525	Clothes (Goods)	Rajinder Nagar
5.	Amit	019881	Stationery, toys & plastic materials (Goods)	Rajinder Nagar
6.	Aman Gupta	021132	Cloths & Handloom Items	Rajinder Nagar
7.	Yash Pal	2341893	Electronic Items	Karol Bagh Zone, Ward-102-N*
8.	Kamal Singh	1637717	Others	Karol Bagh Zone, Ward-102-N*
9.	Mohd. Jaidul	7638375	Others	Karol Bagh Zone, Ward-102-N*
10.	Sheeshpal	4658901	Others	Karol Bagh Zone, Ward-102-N*
11.	Nitin Anand	5494844	Others	Karol Bagh Zone, Ward-102-N*
12.	Pushpendra	9734859	Others	Karol Bagh Zone, Ward-99-N*



13.	Suman	012527	Clothes (Goods)	Rajinder Nagar
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5. The case of the Petitioners is that despite holding *provisional* CoVs, they are not being permitted to peacefully vend.

6. Mr. Phoolka, learned Senior Counsel appearing for the Petitioners, submits that, in fact, the recommendations issued by the Ministry of Housing and Urban Affairs, Government of India, reveal that the Petitioners have been allotted fixed vending locations.

7. On the other hand, Ms. Kalra, Id. Counsel appearing for the MCD, objects to the said position and submits that the CoVs are accompanied by various terms and conditions applicable to all vendors, which have not been annexed to the present petition.

8. Heard the Id. Counsel for the parties. It is a matter of which judicial notice can be taken that the *provisional* CoVs are accompanied by standard terms and conditions attached thereto, which have not been annexed in the present petition. The said standard terms and conditions read as under:

“Terms & Conditions of the Vending Certificate

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.”

9. Any letter of recommendation that may have been issued by the Ministry of Housing and Urban Affairs for the purpose of enabling the vendor to avail of loan facilities under the PM SVANidhi Scheme has no bearing on, and cannot affect, the category of vending. The said category of vending shall



be governed strictly by the *provisional* CoV or the final CoV, as may be issued by the MCD.

10. In the present case, the category of vending of the Petitioners is "***Others***" and, under the said category, all the Petitioners/vendors are required to be mobile vendors. Further, they cannot carry on vending in a No-vending zone or a No-squatting area, such as Ajmal Khan Road, Karol Bagh, New Delhi, which is stated to be a No-vending zone.

11. Under these circumstances the only directions that can be passed are as under:

- (a) All the Petitioners shall operate as mobile vendors strictly in accordance with the terms and conditions stipulated in the provisional CoVs, as extracted hereinabove;
- (b) They shall not be permitted to carry on vending activities in any No-vending zone or No-hawking areas;
- (c) In the event the Petitioners are found carrying on vending activities in any No-vending zone or No-hawking ward, the concerned authorities, including the MCD and the SHO of the concerned area, shall ensure their removal, so that pedestrian movement is not obstructed and ingress to and egress from the Metro Stations remains unhindered;
- (d) The Petitioners shall carry on vending activities in a mobile manner, outside the Non-vending zones, within the wards specified in their respective *provisional* CoVs.



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12. Subject to the above, the vending activities of the Petitioners shall not be disturbed.

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. The petition along with pending applications is disposed of in these terms.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 21, 2026
nsa/sm