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

Date of decision: 28th October, 2026
Date of decision: 31st October, 2026

\# **CNR No. DLHC010490772026**

\+ **W.P.(C) 15049/2026 & CM APPL. 70587/2026**

AMARJEET PANDIT .....Petitioner
Through: Mr. Swagat Gupta, Mr. Rishi Raj, Ms..Renu, Mr. Anil, Advs. for Mr Kamlesh Kumar Mishra, Adv.

versus

MUNICIPAL CORPORATION OF DELHI .....Respondent
Through: Ms. Puja S Kalra, Standing Counsel with Mr. Virendra Singh, Adv. (M: 9312839323)

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 – Mr. Amarjeet Pandit under Article 226 of the Constitution of India seeking a direction to the Municipal Corporation of Delhi *(hereinafter, 'the MCD')* to release his seized vending cart and vending goods.

3. The Petitioner is stated to be having a Certificate of Vending (hereinafter '*CoV*') bearing No. URI:4298965 issued by MCD in the category of *'Others'* to vend from the designated site *i.e.*, Ward 84-N, City SP Zone.

4. It is the case of the Petitioner that his vending cart and wares were

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seized on 18th August, 2026 by the MCD officials and the same are not being returned. Further, it is the prayer of the Petitioner that his site on the footpath near Old Delhi Railway Station (Ward 84-N, City SP Zone) needs to be restored to him.

5. Mr. Swagat Gupta, ld. Counsel for the Petitioner submits that the Petitioner has approached the MCD several times but the vending goods and vending cart have not been returned to him.

6. Ms. Kalra, ld. Counsel for the MCD has placed on record certain photographs showing the manner in which the Petitioner has encroached upon the footpath where he is vending. The said photographs are extracted below:



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7. The Court has considered the matter. A perusal of the *CoV* would show that the Petitioner's vending is under the category '*Others*'. Therefore, he is strictly bound by the terms and conditions of the *CoV*, which have not been placed on record. However, the standard conditions are extracted below:

"1. Vendor shall not have any other permanent or long-

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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

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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"

8. The Petitioner has to, therefore, operate as a mobile vendor and therefore, he cannot enlarge the vending site on the footpath by putting chairs and tables as has been done by the Petitioner. The Petitioner was in effect running a *Dhaba* on the pavement, contrary to the vending conditions. The MCD has rightly taken an action in this matter against the Petitioner.

9. Under these circumstances, the reliefs prayed in the petition cannot be granted as the Petitioner is clearly in violation of the terms and conditions of the *COV*.

10. However, the Petitioner is free to approach the MCD for release of his cart and goods after paying the requisite fine. The Petitioner shall vend strictly in accordance with his *CoV*, failing which action would be liable to be taken by the MCD.

11. No further orders are called for.

12. The petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

OCTOBER 28, 2026/*dk/as*

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