



\$~5

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

+ **W.P.(C) 13300/2025 & CM APPL. 37906/2026**

PARVESH KUMAR

.....Petitioner

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

Versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Mr. Abhinav Garg, PC for GNCTD with Ms. Pallavi Raj, Adv.

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

**ORDER
23.07.2026**

%

1. This hearing has been done through hybrid mode.
2. The grievance in the present writ petition is that the Petitioner's cart and other items including the gas stove, cylinder etc., were seized by the MCD officials without giving the seizure memo.
3. In the previous round of litigation, in **W.P.(C) 3378/2025** the Petitioner had sought, *inter alia*, release of his goods by the MCD officials. The said petition was disposed of *vide* order dated 19th March, 2025, while directing as under:-



”16. Further, this Court is of the opinion that whenever any goods are seized, a receipt ought to be issued to the person from whom such seizure is effected, inasmuch as without the receipt, there would be no proof of the goods which have been seized and the value of the goods would not be determinable.

17. Under these circumstances, Id. Counsel for the Respondent submits that the receipt would be issued within two days and the goods which are not perished and were seized on 8th March 2025, shall be released to the Petitioner subject to payment of nominal charges. Ordered accordingly.”

4. Pursuant to the above order, the only document that appears to be issued by the MCD is a letter dated 21st July, 2025 wherein it has been stated that the only seized items were mentioned in the said letter is one *rehri* (cart) and for release of the seized goods, a penalty fee in terms of the circular dated 10th February, 2025 has to be paid.
5. According to Id. Counsel for the Petitioner, the seized items include the gas stove, cylinder etc., which are not being accounted for or returned.
6. The controversy being factual in nature as to what were the goods that were seized and there been no photographs of the seized goods, going by the photographs which have been filed with the additional affidavit by the Petitioner, the only direction that can be issued is that the MCD would release the cart to the Petitioner, subject to the costs of Rs.10,000/- which was already imposed *vide* order dated 23rd March, 2026 being paid by the Petitioner. No further charges shall be collected by the MCD and the cart be released within three working days.
7. Upon return of the cart, the Petitioner is permitted to vend strictly in



terms of the provisions of the Certificate of Vending issued to him. Subject to him adhering to the conditions of the CoV, he shall not be disturbed.

8. Considering the above, the **CM APPL. 37906/2026** for waiver of costs is dismissed.

9. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

VIKAS MAHAJAN, J.

JULY 23, 2026/dss/msh