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

+ **W.P.(C) 16625/2024**

SH SANJAY GUPTA & ORS.Petitioners

Through: Mr. Sanjay Padam Jain, Adv.
(M:9811112087)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Ms. Shilpa Ohri, ASC, MCD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **28.04.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 28433/2026 (for extension of time) in W.P.(C) 16625/2024

2. The present application has been filed by the Petitioners under Section 151 of the Code of Civil Procedure, 1908, *inter alia*, seeking permission to enable them to approach the Supreme Court challenging the order dated 24th April, 2026.

3. *Vide* order dated 24th April, 2026, the Court had observed as under:

“[...]”

*14. The Court has considered the matter. **The nature of all the CoVs would show that the Petitioners have to operate as mobile vendors. They were not entitled to put up pakka structures and operate in a non-hygienic and unclean manner.***

*15. Further, **the Netaji Subhash Place complex being a non-vending zone, none of the Petitioners or any of the***



other vendors, who are operating in the said area are permitted to continue their vending over there.

16. The vendors, however, have been asked to move to an alternate area to vend as mobile vendors, which is A-Block, Lawrence Road Industrial Area, New Delhi-110035 around the MCD park. Another vending area which is also available is also near Shakurpur, E-block near Samrat Cinema. The Petitioners' counsel states that in the Shakurpur area the foot-fall is better and the Court could consider permitting them to vend in the said area.

17. The Petitioners who hold provisional CoVs are permitted to vend in these areas, as per the terms and conditions of the CoVs. **The Petitioners would not be permitted to continue in the non-vending zone where they are presently vending i.e., the Netaji Subhash Place complex.**

18. So long as the Petitioners continue to adhere to the terms and conditions of the CoVs, they are at liberty to vend in the A-Block, Lawrence Road Industrial Area, New Delhi-110035 around the MCD park or area near Shakurpur, E-block, Samrat Cinema. This shall be subject to the condition that they do not cause any traffic congestion and also maintain cleanliness and hygiene as mobile vendors in the said area.

19. Accordingly, the Petitioners are permitted to remove their vends by 27th April, 2026 from the Netaji Subhash Place complex.

20. If they fail to do so, the MCD is at liberty to remove



all the vendors from the said areas. No obstruction shall be caused by any of the vendors, in doing the same.

21. The SHO concerned shall assist the MCD officials in removing the vendors from the Netaji Subhash Place complex.

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

4. This Court had come to the conclusion that the Petitioners are in complete violation of the terms of vending as per the *provisional* certificates of vending, which are issued to them. Further, it was also observed that the Petitioners cannot be permitted to vend in a non-vending zone *i.e.*, Netaji Subhash Place complex. There were various violations by the Petitioners. They are mobile vendors but they had erected *pucca* construction.

5. The present matter had been pending since 2024, and the Petitioners were not removed from the designated sites near Keshav Puram, Netaji Subhash Place, behind Max Hospital, Pitampura, New Delhi as also NSPD-Mall Complex, Pitampura, New Delhi. Pursuant thereto, detailed orders have also been passed on the previous occasions, wherein other alternative vending places were also identified by the Municipal Corporation of Delhi (*hereinafter*, ‘MCD’) to shift the Petitioners from the non-vending zone.

6. Accordingly, *vide* order dated 24th April, 2026, the Petitioners were permitted to remove their vends by **27th April, 2026** from Netaji Subhash Place Complex, and if they failed to do so, MCD was directed to remove all the vends from the said area.

7. Today, the present application has been filed seeking extension of time



to enable the Petitioners to approach the Supreme Court. The extension is sought till 31st May, 2026.

8. Considering the nature of the matter, the Petitioners are granted extension of time till 15th May, 2026, to approach the Supreme Court, as requested by Id. Counsel for the Petitioners. Until then, the Petitioners shall not be disturbed.

9. The application is disposed of in the above terms. No further orders are called for in the matter.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

APRIL 28, 2026/dk/sm