

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6587 OF 2014

Govind Rajaram Jadhav & Anr. Petitioners
Vs.
The State of Maharashtra & Ors. Respondents

Mr. Subhash V. Gutte for the Petitioners.
Mr. V.B. Thadani, AGP, for Respondent Nos.1 to 4.
Mr. R.M. Pethe for Respondent No.5.

CORAM: MOHIT S. SHAH, C.J. AND
A.K. MENON, J.

DATE : 15 JULY 2015

P.C:

1. The petitioners have prayed for directions to the respondents, particularly the respondent/Municipal Corporation to allot a stall on the ground that the petitioners are persons with disabilities.

2. In the affidavit dated 2 July 2015 of Madhav Keshavrao Jagtap, Deputy Municipal Commissioner, Encroachment Department, Municipal Corporation for the City of Pune, it is stated as under:-

“As per the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the P.M.C. Conducted the survey

of the Street vendors in the city of Pune and issued Certificate of Vending. I say that the Petitioner No. 1 is issued the certificate of Vending and he is carrying on business of street vending on footpath at Model colony Opp. To Om Super Market Shivajinagar, Pune 411 016. As regards the Petitioner No. 2 is concerned he is carrying on business of street vending at Patrakar Nagar, Senapati Bapat Road, Pune 411 016. The Petitioner No. 2 is also holding the footpath Stall admeasuring 5" x 5" on Dr. Ketkar Road granted to him on temporary basis as per the order dated 13th February 2014 passed in Civil Writ Petition No.9785 of 2013. Annexed hereto and marked as Exhibit 1 Colly are copies of the Certificate of Vending."

3. In view of the above averments, we are not inclined to grant any relief to the petitioners in this petition under Article 226 of the Constitution of India. If the petitioners are entitled to allotment of any other plot on the basis of any other policy decision of the State Government, it will be open to the petitioners to make a representation and pursue such representation.

4. Subject to the above observations, the petition is dismissed.

(CHIEF JUSTICE)

(A.K. MENON, J.)