

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7588 OF 2009

Padam S. Jain & anr.

... Petitioners

Vs.

State of Maharashtra

... Respondent

Mr.Pranab Chalke h/f Juris Parmar for the Petitioners

Mr.Prashant Kamble i/b A.S. Rao for Respondent No.2

Ms.S.S. Bhende, Assistant Government Pleader, for Resp. Nos.1 & 5

**CORAM: MRS.VASANTI A. NAIK &
MRS.MRIDULA BHATKAR, JJ.**

DATE: 9th MARCH, 2015

P.C.:

By this petition, the petitioners seeks a direction to the respondent Nos.2, 3 and 4 to take action against the hawkers, who have illegally encroached upon the non-hawking zone in the market area of Kalyan city.

According to the petitioners, though the market area of Kalyan city has been ear-marked as a no-hawking zone, the hawkers are illegally carrying on their business in the said area, thereby causing nuisance to the public at large.

The learned Counsel for the Corporation states on instructions that the Corporation is continuously taking action against the hawkers, who are

illegally carrying on their business in the no-hawking zone. It is stated that whenever the Corporation notices the carrying on of business by the hawkers in the no-hawking zone, appropriate action under the provisions of the Act and the Rules is initiated against them. It is stated that in future also, the Corporation would take action against the erring hawkers if they are found to be illegally carrying on their business in the no-hawkers zone.

By accepting the statement made on behalf of the Corporation, we dispose of the writ petition with no order as to costs.

(MRIDULA BHATKAR, J.)

(VASANTI A. NAIK, J.)