

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 10113 of 2014
DATE OF DECISION :- July 30, 2015

Harish Kumar Bansal and another ...Appellants

Versus

Chandigarh Administration and others ...Respondents

CORAM: HON'BLE MR.JUSTICE M.JEYAPPAUL
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present:- Mr. Ranjit Saini, Advocate for the petitioners.

Mr. Sanjeev Ghai, Advocate for respondents n. 1 to 3.

Ms. Deepali Puri, Advocate for respondent no.4.

M.JEYAPPAUL, J.

1. The Civil Writ Petition is filed praying for quashing the impugned order dated 31.10.2013 passed by the Municipal Corporation, U.T., Chandigarh.
2. The petitioners were issued with hawkers' licence by the authorized officer on 13.5.1997. The said licence granted to the petitioners was valid only upto 30.9.1997. The petitioners having

slumbered for about 16 long years moved the 4th respondent with necessary applications for revalidation of the licence granted on 13.5.1997 which expired on 30.9.1997.

3. Vide order dated 31.10.2013 found annexed as P-19, the 4th respondent having observed that the petitioners who failed to get the licence revalidated immediately after the expiry of the licence granted on 13.5.1997 are not entitled to renewal of licence rejected their plea.

4. The learned counsel appearing for the petitioners would admit the position that the 4th respondent is not now empowered to revalidate the licence in view of the enactment of The Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014. But, it is his submission that the petitioners may be permitted to approach the authorities concerned for considering their plea for getting new licence under the scope of the said Act.

5. The learned counsel appearing for the respondents 1 to 3 and the 4th respondent would submit that the plea of the petitioners would be considered on local survey proposed to be conducted by the authorities as per the provisions of the above Act.

6. The petitioners should have taken effective steps for revalidation of the licence immediately on expiry of the licences. Now the above Act has come into operation and, therefore, the plea of the petitioners for renewal of licence cannot be considered by the respondents.

7. If at all the petitioners fall under the parameters laid down in the above Act, the respondents may consider their plea for renewal of licence. But we find that there is no error in the order passed by the respondents.

8. The Writ Petition fails and, therefore, it stands dismissed.

**(M. JEYAPPAUL)
JUDGE**

**(RAJ RAHUL GARG)
JUDGE**

July 30, 2015
p.singh