

pmw

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.17 OF 2003
WITH
CIVIL APPLICATION NO.38 OF 2006
WITH
CIVIL APPLICATION NO.78 OF 2007
WITH
CIVIL APPLICATION NO.92 OF 2009

Sanjeev Phadtare and Ors.

... Petitioners

Versus

The Pune Municipal Corporation and Ors.

... Respondents

Ms. Kiran Bagalia for the Petitioners.

Mr. Abhijit P. Kulkarni for the Respondent No.1.

Mr. P.G. Sawant, AGP for Respondent No.2.

Ms. Savita Nangare i/by ALMT Legal for the Respondent No.3.

CORAM : A.S. OKA &
A.A. SAYED, JJ.

DATE : 20th SEPTEMBER, 2016

PC.

1. Heard the learned counsel appearing for the parties. Our attention is invited to the judgment and order dated 23rd October, 2015 in Writ Petition No.224 of 2011 (Shri Vile Parle Kelvani Mandal & Ors. Vs. Municipal Corporation of Greater Mumbai and Ors. (2015) SCC Online Bom 5546) and the provisions of the Street Vendors (Protection

of Livelihood and Regulation of Street Vending), Act, 2014. In view of the said decision and in view of the provisions of the Street Vendors Act, no relief can be granted in this Petition. We, therefore, dispose of the Petition. However, if the Petitioners have any grievance regarding the failure by the Authorities to take action in accordance with Street Vendors Act or if the Petitioners have any grievance as regards any action taken by the concerned authorities under the Street Vendors Act, it will be open for the Petitioners to file appropriate proceedings in accordance with law. Even in case of the failure of the Authorities to abide by the directions issued under the aforesaid Judgment, the Petitioners can adopt proper remedy. Pending Civil Applications do not survive and the same are disposed of.

(A.A. SAYED, J)

(A.S. OKA, J)