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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION No. 850 OF 2000
WITH
CHAMBER SUMMONS No. 86 OF 2000

The Stock Exchange, Bombay ... Petitioner
Vs.
The Municipal Corporation of Gr. Mumbai & Ors ... Respondents

Mr. Arnav Mohanty i/b M/s. Wadia Ghandy & Co. for the Petitioner.
Ms. Shital Mane, for the Respondent – BMC.
Mr. S. B. Gore, AGP for the Respondent – State.

CORAM : A. S. OKA, &
P. N. DESHMUKH, JJ.
DATE : FEBRUARY 1, 2018

PC :

1. Heard the learned counsel for the Petitioner. The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 has come into force with effect from 5th May, 2014. Therefore, now all the activities of street vendors will be governed by the provisions of the said Act of 2014.

2. In view of the fact of coming into force of the said Act of 2014, now the reliefs prayed in this petition cannot be considered, as

the petition proceeds on the footing that on the pavements of Mumbai Samachar Marg, Dalal Street and Hamam Street, no-one has right to do the hawking.

3. However, if the Petitioner finds that any vendor is acting contrary to the provisions of the said Act of 2014, the Petitioner can always call upon the Municipal Corporation to take action in accordance with law. If any such a representation is made to the Municipal Corporation, the same shall be immediately looked into by the Municipal Corporation. Subject to what is observed above, the writ petition is disposed of. Rule is discharged.

4. We, however, make it clear that if at all anyone is doing hawking or vending business on the said three streets, disposal of this petition shall not be construed to mean that this Court has held the said activities as legal.

5. Pending chamber summons / notice of motion, if any, does not survive and is accordingly disposed of.

Sd/-
[P. N. DESHMUKH, J.]

Sd/-
[A. S. OKA, J.]