

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-38174-2018

Date of Decision: 21.12.2018

Sushil Kumar and others

...Petitioners

Versus

State of UT, Chandigarh and others

...Respondents

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.**

PRESENT: Mr. Rajiv Agnihotri, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ of mandamus directing respondent No.3 to include the names of the petitioners in the survey list of street vendors prepared under the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act, 2014 (Annexure P-1).

2. The petitioners are running their vends at Sector 22, Chandigarh, as is clear from the challans and seizure memos (Annexure P-4 Colly). The said area had already been declared as vending zone. When the survey was being conducted, the petitioners had gone to their native villages and, therefore, their names were not included in the survey conducted by respondent No.6. Accordingly, the petitioners moved the representations dated 29.10.2018 and 12.11.2018 (Annexures P-2 and P-3, respectively) to

been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioners submitted that for the relief claimed in the writ petition, the petitioners have moved the representations dated 29.10.2018 and 12.11.2018 (Annexures P-2 and P-3, respectively) to respondent No.3, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.3 to take a decision on the representations dated 29.10.2018 and 12.11.2018 (Annexures P-2 and P-3, respectively), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of one month from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

December 21, 2018
gbs

(MANJARI NEHRU KAUL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No