

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

PUBLIC INTEREST LITIGATION NO. 26 OF 2017
WITH
CIVIL APPLICATION NO. 29 OF 2017
IN
PUBLIC INTEREST LITIGATION NO. 26 OF 2017

Mr. Jagannath Pandurang Kharge .. Petitioner
Vs.
Managing Director, CIDCO & Anr. .. Respondents

Mr. J. P. Kharge, Petitioner in person.
Mr. G. S. Hegde for Respondent No.1.
Ms. Nisha Mehra, AGP for Respondent No.2.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**
DATE : 29th JULY, 2019.

P. C. :

1. Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 was promulgated on being accorded assent by the President of India on 04.03.2014. As per Sub-section 3 of Section 1 thereof, the Act would come into force on such date as the Central Government by notification in the official gazette so notified. In the State of Maharashtra the Act was made applicable but learned Counsel are unable to give the notified date.
2. Be that as it may, it being not in dispute that the Act has come into force in the State of Maharashtra, all the local authorities as per Sub-section 2(1)(c) have to ensure that Town Vending Committees are

constituted. The said Committees have to carry out the necessary survey and identify vending and non-vending areas. Existing street vendors have to be identified and those who are operating in the vending zone to be issued necessary licenses and those found vending in non-vending zones to be rehabilitated and till such process is completed, status-quo to be maintained.

3. Grievance in the Public Interest Litigation is to the eviction of vendors at Kharghar Node. The Petitioner has not done the necessary research work which was envisaged in the form of providing details with evidence of existing vendors at the place in question.

4. Be that as it may, the Public Interest Litigation is disposed of directing the State of Maharashtra to ensure that the Town Vending Committees are constituted in all the areas of the local authorities referred to in Section 2(1)(c) of the Act. The said Town Vending Committees shall do the needful and till the Town Vending Committees complete their task, status-quo shall be maintained.

5. Civil Application No. 29 of 2017 is disposed of as infructuous.

[N. M. JAMDAR, J.]

[CHIEF JUSTICE]