

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2492 OF 2018

Ramjanak Sukhram Jaiswal	...Petitioner
<i>Versus</i>	
The Municipal Corporation of Greater Mumbai & Ors	...Respondents

Ms Shama N Ghotekar, *for the Petitioner.*
Ms Vandana Mahadik, *for the Respondents-MCGM.*

CORAM: S. C. DHARMADHIKARI &
G.S. PATEL, JJ
DATED: 25th September 2019

PC:-

1. Let the petitioner appear before the Licence Supervisor, R/South Ward and satisfy that Authority that the Mumbai Municipal Corporation's demands for an Aadhaar card, Election Card (Voter Identity Card), Ration Card, PAN Card, which would denote that the petitioner before us was selling articles or items of food on a pavement/footpath at the given address before 1st May 2014, are indeed available and are genuine.

2. If the documents accompanying an application dated 1st August 2014 indeed evidence this fact, the petitioner will be dealt with appropriately and in accordance with law. Should those

documents be not supplied or proof produced, the petitioner will suffer all legal consequences. We do not think that such petitions should be kept pending for a person like the present petitioner cannot come to the High Court and then attempt to satisfy the High Court that before the cut-off date some hawking activity was carried on by him.

3. In these circumstances, this petition is disposed of by directing the petitioner to appear before this Authority/Officer of the Municipal Corporation on 30th September 2019 at 11.00 a.m.

4. In the event the petitioner is not be able to produce any such document, the application shall stand rejected. In the event the petitioner produces the necessary proofs, the Municipal Corporation can take steps in accordance with law.

5. The writ petition is disposed of.

6. We continue the ad-interim order to enable the petitioner to appear before the Authority on 30th September 2019. Failure of the petitioner to appear shall result in this order being vacated forthwith.

(S. C. DHARMADHIKARI, J)

(G. S. PATEL, J)