

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-1681-2019

Date of Decision: 22.1.2019

Aam Admi Lok Hit Society, Jodhewal, Ludhiana

...Petitioner.

Versus

State of Punjab and others

...Respondents.

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

PRESENT: Mr. G.S. Randhawa, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ of mandamus directing the respondents to constitute Town Vending Committee to conduct survey and to allocate vending zones to the street vendors or to decide the legal notice dated 3.9.2018 (Annexure P-2).

2. The petitioner is a registered society having registration No. 20150017800/498 and is created only for the welfare of the residents of the State. Government of India introduced the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Central Act No.7 of 2014). In pursuance thereto, respondent No.1 vide notification dated 3.3.2016 introduced one scheme, namely, the Punjab Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2016. As per the said Scheme, the Town Vending Committee was to get the survey conducted of all existing street vendors by the staff of local authority

the respondents to constitute a Town Vending Committee, but to no effect. Without any guidelines, the officers of respondent No.2 continuously harassed the street vendors and took money in the name of fees by giving receipts (Annexure P-1 Colly). Accordingly, the petitioner served a legal notice dated 3.9.2018 (Annexure P-2) upon the respondents for constituting the Town Vending Committee to conduct survey and to allocate vending zones to the street vendors, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has sent a legal notice dated 3.9.2018 (Annexure P-2) to the respondents, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, 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.2 to take a decision on the legal notice dated 3.9.2018 (Annexure P-2), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner or its authorized representative within a period of two months from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

January 22, 2019
gbs

(MANJARI NEHRU KAUL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No