

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-7802-2019

Date of Decision: 20.3.2019

Satya Parkash 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. R.S. Randhawa, Advocate for the petitioners.

Ms. Suman Devi, Advocate for
Ms. Deepali Puri, Advocate for respondents No.2 to 4.

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 respondents No.3 and 6 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 (in short “the 2014 Act”).

2. For the purpose of regulation of street vending, the Parliament enacted 2014 Act (Annexure P-1). The petitioners are running their vends at Sectors 15, 31, 32, 35, 38 and 50, Chandigarh, as is clear from the challans and seizure memos (Annexure P-3 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 (Annexure P-2 Colly) to respondent No.3 for entering their names in the list, but no response has 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 (Annexure P-2 Colly) to respondent No.3, but no action has so far been taken thereon.

4. After hearing learned counsel for the parties, 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 (Annexure P-2 Colly), 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

March 20, 2019
gbs

(MANJARI NEHRU KAUL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No