

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17256 of 2019

1. Qamre Alam S/o Late Md. Zarifur Rahman Resident of Village- Balia, Post- Afzala, P.S.- Biroul, District- Darbhanga, Readymade Cloth (Bihar), New Market Patna-1.
2. Md. Qayum Uddin Son of Inamuddin, Resident of Village- Parsa Bazar, P.S. and P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
4. The Patna Municipal Corporation through the Commissioner-cum-Executive Officer Budh Marg, Patna.
5. The Commissioner-cum-Chief Executive Officer, Patna Municipal Corporation Budh Marg, Patna.
6. The District Magistrate, Patna.
7. The Senior Superintendent of Police, Patna.
8. The Senior Superintendent of Police 'Traffic' Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Advocate Mr.Nirmal Kumar, Advocate
For the Respondent/s	:	Mr.Yogendra Prasad Sinha (AAG 7)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-12-2020

The petitioner prayed for the following relief:

“ For issuance of writ in the nature of



mandamus directing the Respondents for implement street vendor (Protection of livelihood and revolution of street vending) Act 2014 which has been enforced with effect from 4/03/2014 (herein referred as vending Act) and to protect the interested poor person enlarge and provide the space on Footpath to the Poor people in vending Zone as prescribed under the Act at a appropriate place near Veena Cinema to Harding park as well as just opposite of Mahavir Mandir near Patna Junction and adjacent South Boundary of Buddha Park where the sufficient space is available without any use and the said Area may be provided under the vending zone but till now no vending zone as well as license of the vendors have not been provided to the vendor at the same place when the said vendors and are doing business on Footpath for livelihood upon the Thela and/or any other appropriate writ or writs directing to Respondent to implement the vending zone at the aforesaid place and granting the vending license with the cost of vendors and further may be directed to Respondent not to interference with the Right and business premises of street vendor save and accept accordance with law.”

On 27th of August we passed the following order

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“Learned counsel for the petitioner prays and is allowed to make necessary correction in the cause title of the present case.

Counsel for the Municipal Corporation submits that the entire matter is being monitored in another Case being C.W.J.C. No. 15475 of 2016 (Vikash Chandra Guddu Baba Vs. The State of Bihar & Ors.).

In view of the above, let this case be listed along with the aforesaid C.W.J.C. No. 15475 of 2016.”

Since this Court is independently monitoring the issue, subject matter of the present writ petition, we are of the considered view that the interest of justice would best be met if the petition is disposed of reserving the liberty of the petitioner to invite attention of the authorities including respondent nos. 2 and 4, namely, The Chief Secretary, Government of Bihar, The Principal Secretary, Urban Development and Housing Department, Government of Bihar, at Patna and The Patna Municipal Corporation through the Commisioner-cum-Executive Officer, Budh Marg, Patna of the issues.

We are assured that in case the petitioners ventilate their grievances, the same shall be considered and decided by the authorities as per law within a period of two months. Liberty reserved to the petitioners to approach this



court as also assist this court in matter already pending, if the
need so arises.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

anil/-

AFR/NAFR	
CAV DATE	
Uploading Date	18.12.2020
Transmission Date	

