

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1768 of 2014

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1. Aurangabad Footpath Ferrybikreta Sangh and Ors Son of Late Ambika Singh Resident of Near Town Police Station District - Aurangabad
 2. Arif Hassan Son of Sri Atif Hassan Treasurer of Zone No. 4 Of Aurangabad Footpath Ferry Bikreta Sangh Resident of Club Road, Police Station District - Aurangabad
 3. Vinod Ram Son of Sri Shyma Pd. Das Resident of Mohalla Bus Parao, Ward No. 29, Post Office District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar & Ors.
2. The Principal Secretary, Department of Urban Development, Government of Bihar
3. The District Magistrate , Aurangabad
4. The Sub-Divisional Officer, Aurangabad
5. Nagar Parishad, Aurangabad, Through The Chief Executive Officer-Cum-Deputy Development Commissioner Null Null

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Lakshmi Kant Tiwary, Advocate
For the Respondent/s	:	Mr. Sanjay Kumar Ghosarvey, Advocate Mr. P.K. Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

38 24-11-2025 Heard learned counsel for the parties concerned.

2. Petitioners are the members of “Sangh,” and the name and style is Aurangabad Footpath Ferry Bikreta Sangh, Aurangabad Nagar Parishad, who has filed this writ application through its chairman, treasurer, and member.

3. The grievance of the petitioners is that they were footpath vendors. They have been removed from the



place from where they were selling their product. On 11.02.2020, a letter from the State Government in the Department of Urban Development and Housing was issued, directing all the municipal commissioners and executive officers of the municipal authority to do a survey under the Deen Dayal Antyodaya Scheme-Rashtriya Aajeevika Mission (DAY-NULM) SUSV component using a GIS-based mobile app provided on the sulmbihar.in website. The survey has been done as per aforesaid letter, and the list of the total number of vendors has been published. The list contains the name of the vendor and vending category, having a total number of 1791, out of which one member of the petitioners has also been included.

4. Learned counsel for the petitioners submits that as per the Antyodaya scheme, there is a policy to construct a vending zone/shade for the purpose of vendors who have been listed under the survey done by the authorities. Referring to one letter from the Executive Engineer, Urban Development Division, Aurangabad, addressed to the Superintendent Engineer of Urban Development Anchal,



Magadh, Gaya, dated 18.05.2023, learned counsel submits that in Aurangabad Ward No. 02, there was a proposal for construction of a vending zone near the cafeteria for which administrative and technical approval were sought. Accordingly, the submission is that the municipal authority whenever decides to construct the vending zone or the vending shades for the purpose of granting space to the vendors under the Antyodaya scheme, for which a survey was conducted and the names of the vendors have already been decided, the authorities may adhere to the policy for allotment of vending zones in favour of those whose names have already been decided after the survey.

5. On the other hand, learned counsel for the Nagar Parishad submits that subject to availability of space and the policy decision taken by the municipal authorities for the purpose of construction of vending zones/shades, the space will be allotted in favour of the vendors whose names have come in the list of the vendors after a proper survey. The allotment shall be made subject to the availability of space and gradually in a phased manner.

6. Having considered rival submissions made by



the parties, this writ application is disposed of with the direction that as and when the vending zone/shades are created, the same shall be allotted in favour of the vendors whose names have been enlisted after the online survey through the Jeo Tag app 1791 in accordance with law and in a phased manner.

7. Accordingly, the present writ application shall stand disposed of with the aforesaid direction.

(Anil Kumar Sinha, J)

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