

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6994 OF 2025

Navi Mumbai Hawkers & Workers

...Petitioner

Versus

The State of Maharashtra & Ors

...Respondents

Mr. Avinash Belge for Petitioner.

Ms Savita Prabhune, AGP for Respondent-State.

Mr. Tejesh Dande for Respondent Nos.2 to 5.

CORAM : G.S. KULKARNI &
ARIF S. DOCTOR, JJ.

DATE : 22nd JULY, 2025.

P.C:

1 By the captioned petition filed under Article 226 of the Constitution of India, the Petitioner is impugning a letter dated 5th March 2025 issued by Respondent No.5 (The Assistant Commissioner / Ward Officer) D Ward, Turbhe, Navi Mumbai Municipal Corporation (NMMC). The official translation of the said letter dated 5th March 2025 reads thus:

“As per the above-mentioned subject and reference, it is submitted that by the Letters referred to hereinabove at Sr.No.1 to 3, you have already been informed to execute an Agreement in the prescribed format of the Navi Mumbai Municipal Corporation, on a stamp paper of the value of Rs.500/- for handing over the possession of the Ota No.----- allotted by lottery system, to the licence holders, in Daily Market Building situated on the land bearing S.No.17 in Sector 4, Sanpada, however, you have not yet complied with the same.

Moreover, the period granted to you till the date 04.03.2025 for shifting and for executing an Agreement has become over. Therefore,

an extension of time is granted to you till the date 20.03.2025 for taking said steps.

Therefore, if you fail to shift (to the said place) within the prescribed time limit then, deeming that you do not require the Ota allotted to you by lottery system, the allotment of the said Ota shall be cancelled and no permission shall be granted to you to carry on your business inside and outside the said market building, which may seriously be noted.”

2 The grievance of the Petitioner was that the members of the Petitioner were called upon to execute the said agreement absent details of their respective allotments having been intimated to them and in the event they did not, the said allotment would be cancelled.

3 Mr. Belge, Learned Counsel appearing on behalf of the Petitioner, has today tendered across the bar a letter dated 18th June 2025 which has been addressed by the NMMC to the Petitioner, which letter sets out the relevant details in respect of the stalls which are being allotted to the Petitioner members. Mr. Belge makes a statement that the Petitioner members shall vacate their respective stalls within a period of three weeks from today. His statement is accepted. It is made clear that for a period of three weeks from today, the impugned order dated 5th March 2025 shall not be acted upon.

4 Petition is accordingly disposed of in the aforesaid terms. No costs.

[ARIF S. DOCTOR, J.]

[G.S. KULKARNI, J.]