2026:UHC:2909

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No.1894 of 2025

21st April, 2026

Ashish Verma .....Petitioner

Versus

State of Uttarakhand and another .....Respondents

Presence:-
Mr. Shruti Joshi, Legal Aid for the petitioner.
Mr. Devendra Pant, learned Standing Counsel for the State.

Hon'ble Pankaj Purohit, J.

This writ petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking a direction in the nature of mandamus commanding the respondents to permit the petitioner to resume vending merchandise in view of the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

2. Facts of the case, in brief, are that the grandfather of the petitioner had two shops in Ganga Building at Har-ki-Pauri, where both the grandfather and the father of the petitioner carried on their business. In the year 1979, for the beautification of Har-ki-Pauri, the shops allotted to the petitioner's grandfather were demolished. Thereafter, the petitioner's grandfather requested the concerned authorities to allot him new shops and, ultimately, in the year 1986, one shop was allotted to him at Palika Bazar. The said shop had high municipal taxes and unfavorable conditions, due to which the petitioner's grandfather was compelled to sell the allotted shop to pay municipal taxes and other loans in the year 2020. The petitioner's grandfather wrote various letters to the authorities requesting allotment of another shop for

livelihood; however, no action was taken. After his demise, the petitioner's father also made similar requests, but he too passed away in the year 2019.

3. Aggrieved by the inaction of the respondents, the petitioner filed Writ Petition (M/S) No. 2078 of 2024, *Ashish Verma vs. District Magistrate, Haridwar and others*, wherein a Co-ordinate Bench of this Court, vide order dated 30.07.2024, directed respondent no. 1 to take a decision on the petitioner's representation within a period of six weeks. The said order has not been complied with by the respondents, and consequently, a contempt petition filed by the petitioner is presently pending before this Court.

4. Learned counsel for the petitioner contends that the respondents' arbitrary inaction has violated the petitioner's fundamental right to livelihood, despite statutory protection under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014. It is further contended that, in view of the petitioner's family's long-standing displacement due to State action, their expectation of rehabilitation remains unmet, and the respondents' failure to comply with prior court directions entitles the petitioner to resume vending or to be suitably rehabilitated in accordance with law.

5. Having heard learned counsel for the petitioner and perused the record, this Court finds that the petitioner has not been able to establish any enforceable legal or statutory right to seek resumption of vending. The original grievance stood settled when an alternative shop was allotted in the year 1986, which was later voluntarily sold by the petitioner's predecessor; therefore, no continuing right survives. Further, the petitioner has not demonstrated compliance with the requirements of the Street Vendors

Act, 2014, such as identification or registration, and hence no relief can be granted under the said Act. The issue regarding non-compliance of earlier court directions is already pending in contempt proceedings and cannot be examined again in this writ petition. In view of the above, no arbitrariness or illegality is found on the part of the respondents warranting interference under Article 226 of the Constitution of India.

6. Accordingly, the writ petition stands dismissed.

(Pankaj Purohit, J.)
21.04.2026

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