



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUO MOTU PUBLIC INTEREST LITIGATION NO. 1 OF 2023
WITH
INTERIM APPLICATION NO. 621 OF 2024
WITH
INTERIM APPLICATION (L) NO. 23233 OF 2024
WITH
INTERIM APPLICATION (L) NO. 22809 OF 2024
WITH
INTERIM APPLICATION (L) NO. 22832 OF 2024
WITH
INTERIM APPLICATION (L) NO. 21142 OF 2024
WITH
INTERIM APPLICATION NO. 782 OF 2024
AND
INTERIM APPLICATION NO.666 OF 2024
AND
INTERIM APPLICATION (L) NO. 7056 OF 2024
IN
SUO MOTU PUBLIC INTEREST LITIGATION NO. 1 OF 2023

High Court on its Own Motion
Versus
State of Maharashtra and ors.

...Petitioner
...Respondents

WITH
WRIT PETITION NO. 654 OF 2021

Archana Vinod Maurya ...Petitioner
Versus
The State of Maharashtra and ors. ...Respondents

WITH
WRIT PETITION NO. 3167 OF 2021

Jauramma Kulle Gowda ...Petitioners
Versus
The State of Maharashtra and ors. ...Respondents

WITH
WRIT PETITION NO.4278 OF 2022

Sheshmani Abhayraj Pandey ...Petitioner
Versus
The State of Maharashtra and ors. ...Respondents

WITH
WRIT PETITION NO. 766 OF 2021

Bombay Hawkers Association ...Petitioner
Versus
Municipal Corporation of Greater Mumbai ...Respondents
and ors.

WITH
WRIT PETITION NO. 654 OF 2023

Balram Lochan Chauhan ...Petitioner
Versus
Municipal Corporation of Greater Mumbai ...Respondents
and ors.

WITH
WRIT PETITION NO. 1507 OF 2022

Munnalal Sevalal Maurya ...Petitioner
Versus
Assistant Municipal Commissioner K/East ...Respondents
Ward and ors.

**WITH
WRIT PETITION (L) NO. 15416 OF 2024**

Colaba Causeway Tourism Hawkers Stall ...Petitioners
Union
Versus
State of Maharashtra and ors. ...Respondents

**WITH
WRIT PETITION NO. 2961 OF 2022**

Munnalal Sevalal Mourya ...Petitioners
Versus
The State of Maharashtra and ors. ...Respondents

**WITH
WRIT PETITION NO. 3166 OF 2005
WITH
NOTICE OF MOTION NO. 478 OF 2011
WITH
NOTICE OF MOTION NO. 361 OF 2018
IN
WRIT PETITION NO. 3166 OF 2005**

Jhuri Bihari Mallah and ors. ...Petitioners
Versus
Brihanmumbai Municipal Corporation and ...Respondents
ors.

**WITH
WRIT PETITION NO.630 OF 2023**

Pankaj Kumar H Agrawal and anr. ...Petitioners
Versus
The State of Maharashtra and anr. ...Respondents

WITH
CONTEMPT PETITION NO.31 OF 2024
IN
WRIT PETITION NO.2798 OF 2018

Atul Ramanlal Vora ...Petitioner
Versus
Municipal Corporation of Greater Mumbai ...Respondents

Mr A. A. Siddiquie, *a/w Mr Chowdhari Moin, for the Petitioner in WP/654/2021, WP/3167/2021, WP/4278/2022 and WP/2961/2022.*

Mr Anil Singh, Senior Advocate, *a/w Ms Oorja Dhond, i/b. Mr S. K. Sonawane, for the Respondent-BMC in SMP/1/2023.*

Ms Smita Tondwalkar, *a/w Ms Meena Dhuri, i/b. Mr S. K. Sonawane, for the Respondent-BMC in all other connected Writ Petitions.*

Mr Mukul Taly, *a/w Mr Yash Kataria i/b S. Mahomedbhai & Co. for the Applicant in IA No.621 of 2024.*

Ms Pritha Paul, *for the Petitioner in WP/654/2023.*

Mr Kaustubh Gidh, *for Respondent Nos.5, 11 and 12 in SMP/1/2023 and for Petitioner in IAL/22809/2024, IAL/22832/2024.*

Mr Manoj Shirsat, *a/w Mr Yogendra M. Koli, i/b. Mr Mohammed Ashraf, for the Petitioner in WP/766/2021.*

Mr Mukesh Vashi, Senior Advocate, *a/w Ms Prachi Khandge, i/b. M/s. M. P. Vashi, for the Petitioner in WP/3166/2005.*

Mr Jamshed Mistry – Amicus, *a/w Mr Dipesh Siroya, for the Petitioner in CONPW/31/2024.*

Ms Utkarsha Wadekar, *h/f Mr Ashok Saraogi, Mr Pankaj Agrawal, for the Petitioner in SMP/1/2023.*

Ms P. H. Kantharia, GP, *a/w Mr Abhay L. Patki, Addl.G.P. a/w Ms Rita Joshi, AGP, for the Respondent-State in SMP/1/2023.*

Ms P. H. Kantharia, GP, *a/w Mr Suraj Gupte, AGP, for the Respondent-State in IA/621/2024.*

Ms P. H. Kantharia, GP, *a/w Ms Fatima Lakadawala, AGP, for the Respondent-State in IA/782/2024.*

Ms P. H. Kantharia, GP, *a/w Ms Vrushali Kabare, AGP, for the*

Respondent-State in IA/666/2024.

Ms P. H. Kantharia, GP, a/w Ms Anupama Pawar, AGP, for the Respondent-State in IAL/7056/2024.

Ms P. H. Kantharia, GP, a/w Ms Varsha Sawant, AGP, for the Respondent-State in WP/654/2021.

Ms P. H. Kantharia, GP, a/w Mr Abhay L. Patki, Addl.GP, for the Respondent-State in WP/3167/2021.

Ms P. H. Kantharia, GP, a/w Ms Lavina Kriplani, AGP, for the Respondent-State in WP/4278/2022.

Ms P. H. Kantharia, GP, a/w Mr Vishal Khanavkar, AGP, for the Respondent-State in WPL/15416/2024.

Ms P. H. Kantharia, GP, a/w Mr Manish Upadhye, AGP, for the Respondent-State in WP/2961/2022.

Ms P. H. Kantharia, GP, a/w Mr Vishal Thadani, Addl.GP a/w Ms Poonam Mital, AGP, for the Respondent-State in WP/630/2023.

PSI – M.K. Bagwan, Colaba Police Station, Mumbai.

**CORAM M.S. Sonak &
 Kamal Khata, JJ.
DATED: 3rd September 2024**

PC:-

1. Mr Anil Singh, learned Senior Advocate appearing for BMC has filed a report concerning monitoring of the 20 earmarked areas referred to in this Court's order dated 24th June 2024 and 1st August 2024. From the reports submitted before us and the submissions made before us, we direct that such monitoring must continue on these 20 earmarked locations.

2. If any of the Petitioner or the learned Amicus Curiae wish to comment on this report, they should do so in writing by 20th September 2024.

3. By our earlier orders we had directed the State Government to frame a scheme for street vendors in terms of Section 38 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

4. Section 38(1) contemplates consultations with the local authority and the Town Vending Committees (“TVCs”) for framing such scheme. The elections to the TVC were held on 29th August 2024. However, in terms of the Hon’ble Supreme Court’s order dated 28th August 2024, the results have not been declared. Accordingly, learned Government Pleader submits that it would not be possible to finalise the scheme by 30th September 2024.

5. Accordingly, we post these matters on 8th October 2024.

WRIT PETITION NO. 3166 OF 2005

6. This Writ Petition is de-tagged from Suo Motu Public Interest Litigation No.1 of 2023 and other connected matters. Place this Writ Petition for consideration on 1st October 2024.

(Kamal Khata, J)

(M.S. Sonak, J)