

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUO MOTO PUBLIC INTEREST LITIGATION NO. 01 OF 2023

High Court On Its Own Motion

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

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

WITH

INTERIM APPLICATION NO. 666 OF 2024

WITH

INTERIM APPLICATION (L.) NO. 7056 OF 2024

IN

SUO MOTO PUBLIC INTEREST LITIGATION NO. 01 OF 2023

WITH

WRIT PETITION NO. 654 OF 2021

WITH

WRIT PETITION NO. 3167 OF 2021
WITH
WRIT PETITION NO. 4278 OF 2022
WITH
WRIT PETITION NO. 766 OF 2021
WITH
WRIT PETITION NO. 654 OF 2023
WITH
INTERIM APPLICATION NO. 621 OF 2024
IN
SUO MOTO PUBLIC INTEREST LITIGATION NO. 01 OF 2023
WITH
CONTEMPT PETITION IN PIL NO. 02 OF 2024
IN
PUBLIC INTEREST LITIGATION NO. 60 OF 2023
WITH
WRIT PETITION (L.) NO. 15416 OF 2024
WITH
WRIT PETITION NO. 2961 OF 2022
WITH
WRIT PETITION NO. 630 OF 2023
WITH
CONTEMPT PETITION NO. 31 OF 2024
IN
WRIT PETITION NO. 2798 OF 2018

Mr. Choudhari Moin i/by A. A. Siddiqui & Associates for the Petitioner in
WP/654/2021, WP/3167/2021, WP/4278/2024 and WP/2961/2022.

Mr. Jamshed Mistry (Amicus Curiae) a/w Mr. Dipesh Siroya, for the Petitioner in CONPW/31/2024 Mr. S.M. Seegaria for the Petitioner in CONPW/2/2024.

Mr. Ankit Lohia i/by Adv. Zainab R. Shaikh, Adv. Rafiullah Shaikh for the Petitioner in WPL/15416/2024.

Mr. Sharan Jagtiani, Senior Advocate a/w Adv. Naushad Engineer, Sr. Advocate, Adv Namrata Vinod, Adv. Yash Kataria i/by S. Mahomedbhai & Co. for the Applicants in IA/621/2024.

Mr. Siddharth Singh i/by Adv. Ashok M. Saraogi for the Petitioner in WP/630/2023.

Mr. Mihir Desai, Senior Adv. a/w Ms. Pritha Paul for the Petitioner in WP/654/2023.

Mr. Kaustubh Gidh, for the Applicant in IAL/22809/2024 and IAL/22832/2024 and for Respondents Nos.5, 11 & 12 in SMP/1/2023, and for Respondent No. 14 in WP/2798/2018.

Mr. J. A. Uadipuri, a/w Ms. Sofia Udaipuri i/by M/s. Udaipuri & Co. for the Applicant in IAL/21142/2024 in SMP/1/2023.

Ms Taiyaba Kazi a/w Adv. Amar Gharte for the Applicant in IA/782/2024 and IA/666/2024.

Ms. Dhruti Kapadia, Ms. Sheetal Metakari, Ms. Komal Punjabi for the Respondent-BMC in WP/2961/2022.

Mr. Anoop Patil a/w Ms. Oorja Dhond, Ms. Komal Punjabi for the Respondent-BMC in CP/2/2024.

Mr. Anil Singh, Senior Advocate a/w Adv. Oorja Dhond i/by Adv. Komal Punjabi for the Respondent No. 2-BMC in SMP/1/2023 Mr. Vijay Adsul, Deputy Sudt. (License) present in Court.

Ms. Sheetal Metakari i/by Adv Komal Punjabi for the Respondent-BMC in all other connected Writ Petitions.

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

Ms. P.H. Kantharia, G.P. a/w Adv. Suraj Gupte, AGP for the Respondent-State in IA/621/2024 Ms. P.H. Kantharia, GP a/w Ms. Fatima Lakdawala, AGP for the Respondent-State in IA/782/2024

Ms. PH. Kantharia, G.P. a/w Ms. Vrushali Kabre, AGP for the Respondent-State in IA/666/2024.

Ms. PH Kantharia, G.P. a/w Adv. Anupamaa Pawar for the Respondent-State in IAL/7056/2024 Ms. P.H. Kantharia, GP a/w Mr. Abhay L Patki, Addl. GP for the Respondent-State in WP/654/2021 and WP/3167/2021.

Ms. PH. Kantharia, G.P. a/w Ms. Lavina Kripalani, AGP for the Respondent-State in WP/4278/2022 Ms. P.H. Kantharia, GP a/w Ms. Varsha Sawant, AGP for the Respondent-State in WP/654/2023.

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

Ms. P.H. Kantharia, G.P. a/w Mr. Manish Upadhye, AGP for the Respondent-State in WP/2961/2022 PIL/60/2023.

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

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 12th November 2024.

P.C. :

1) Mr. Singh, learned counsel appearing for MCGM submitted that, the MCGM will continue to implement the Order dated 23rd October 2024 at-least till the next date of hearing, to all the 20 sites mentioned in the Action Plan against unauthorized hawkers. The said statement is accepted.

2) Smt. Kanthariya, learned Government Pleader also seeks time to take instructions from the concerned Authority from the State for implementation of Notification dated 3rd August 2016 (page No.567 of compilation).

3) By consent of learned counsel for the parties, stand over to 12th December 2024, at 2:30 p.m..

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)