

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9421 OF 2019
WITH
CIVIL APPLICATION NO. 1999 OF 2019**

Sarva Dharmiya Sushikshit Berojgar
Hawkers Sanghatana, Maharashtra
and anr. ... Petitioners/Applicants
V/s.
Municipal Council of Satara and ors ... Respondents

Ms Aditi Saxena a/w Mr. Niranjan M. Deshpande for the
Petitioners/Applicants.
Mr. K.P. Shah i/b Ms Gunjan Shah for Respondent No.1.
Mr. A.I.I. Patel, AGP for the Respondent - State.

**CORAM : B.P. DHARMADHIKARI &
N.R. BORKAR, JJ.
DATE : DECEMBER 09, 2019.**

P.C.

1] This Court had issued notice in Writ Petition No. 9421 of 2019 on 18th October 2019. Replies are still awaited. There the hawkers in Municipal area or Satara seek implementation of the judgment in case of ***Maharashtra Ekta Hawkers Union and another vs. Municipal Corporation, Greater Mumbai*** delivered by the Apex Court on 9th September 2013 and the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

2] In Civil Application No. 1999 of 2019, a public notice dated 30th July 2019 issued by Satara Municipal Council is impugned on the ground that the Municipal Council does not have such power.

3] The judgment of the Hon'ble Apex Court and the provisions of law is very clear & the Town Vending Committee needs to be constituted.

4] However, that by itself may not bar the Municipal Council from carrying out a survey.

5] We find that outcome of such survey cannot be put to use in violation of the said judgment and law.

6] Hence, subject to this, we permit the respondent - Municipal Council to proceed further with survey. Replies to the application and petition, if any, to be filed within six weeks from today.

7] List on 3rd February 2020.

(N.R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)