

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE
WPO/69/2025
DEBASISH DAS
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date: 15th May, 2025.

Appearance:
Mr. Debashis Banerjee, Adv.
Mr. Rakesh Jana, Adv.
..for petitioner
Mr. Alok Kumar Ghosh, Adv.
Mr. Suman Bose, Adv.
...for respondents 1 – 3.
Mr. Debarati Sen (Bose), Adv.
...for State

The Court:- The petitioner, being a member of the Town Vending Committee, has preferred the present writ petition seeking strict enforcement of the decision taken by the Town Vending Committee, as duly recorded in the minutes of the meeting dated 11.01.2024. By the said decision, it was resolved that street vendors and hawkers shall not be permitted to conduct vending activities on the blacktop portion of the road and two-thirds of the pavement area earmarked for pedestrian movement in the New Market Area, particularly on Lindsay Street, Humayun Place, and Chowringhee Place, where demarcation of the footpaths has already been effected.

It is the case of the petitioner that despite several representations no action has been taken by the Kolkata Municipal Corporation.

Learned Counsel for the Kolkata Municipal Corporation appears and states that they shall abide by the directions passed by the Town Vending Committee and shall file a report within a period of three weeks.

A report has been filed on behalf of the State Police Authorities, wherein it has been specifically mentioned that till date they have not received any request or complaint from the Kolkata Municipal Corporation, notwithstanding that they have carried out removal of illegal hawkers and have registered 44 (forty-four) cases against 58 (fifty-eight) hawkers since February 2024.

The report further states that the State has adopted a zero-tolerance approach towards illegal hawking and is taking actions against illegal hawkers.

The report filed by the State is taken on record.

Let this matter be listed after four weeks.

(GAURANG KANTH, J.)

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