

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.8073-8093 2014
(Arising out of SLP(C)Nos.33655-33675 of 2011)

SHANKAR LAL & ORS. ... APPELLANTS

VS.

NEW DELHI MUNL.COUNCIL & ORS. ... RESPONDENTS

WITH

CIVIL APPEAL NO.8094/2014 @ SLP(C)NO.695/2012,
CIVIL APPEAL NOS.8095-8097/2014 @ SLP(C)NOS.4838-40/2012 &
CIVIL APPEAL NO.8098/2014 @ SLP(C)NO.9089/2012

O R D E R

C.A.8073-8093/2014(@ SLP (C)Nos. 33655-33675/2011)

Leave granted.

These appeals have been preferred by the appellants against the common order dated 24th October, 2011, passed by the High Court of Delhi at New Delhi in WP(C)No. 5627/2011, etc. By the impugned order, the High Court, while dealing with the case of street vendors, took into consideration the order dated 15th July, 2011 passed by this Court passed in W.P. (C) No.1699/1987 in Gainda Ram & Ors. Vs. M.C.D. & Ors. Later, this Court in I.A.No.428 in W.P. (C) No.1699/1987, disposed of the said matter by order dated 9th September, 2013, which reads as under:

"All the pending writ petitions,

special leave petitions and interlocutory applications are disposed of in terms of order passed today in I.A.Nos.266-285, 288-289, 294, 299, 304-309, 312-321 & 324-335 in C.A.Nos.4156-4157 of 2002 etc. Etc. The directions contained in that order shall be read as part of this order.

Those, who had filed writ petitions, special leave petitions and interlocutory applications in this Court shall be free to file appropriate petitions/applications before the Delhi High Court. The High Court shall decide the same on merits keeping in view the directions contained in the order passed today in I.A.Nos.266-285 etc. In C.A.Nos.4156-4157 of 2002 and connected matters."

Decision of this Court in C.A.Nos. 4156-4157/2002 and batch, "Maharashtra Ekta Hawkers Union & Anr. Vs. Municipal Corporation, Greater Mumbai & Ors." is reported in 2014 (1) SCC 490.

The learned Additional Solicitor General appearing on behalf of the respondents submits that the Act known as "Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (for short, "Street Vendors Act"), has been enacted on 4th March, 2014, and gazetted on 5th March, 2014. Now the street vendors will be guided by the provisions of the 'Street Vendors Act'.

In view of the development taken place and, the order passed in Gainda Ram & Ors. (supra) read with Maharashtra Ekta Hawkers Union & Anr. and Street Vendors Act, 2014, as referred to above, we are of the view that

the High Court should reconsider the cases, keeping in view the Street Vendors Act, 2014 enacted by the Central Government. Parties are free to file application before the High Court of Delhi. The impugned order dated 24th October, 2011, passed by the High Court is set aside and the matter is remitted back to the High Court to take decision in accordance with the Street Vendors Act, 2014 and in accordance with law.

The appeals stand disposed of.

C.A.8094/2014(@ SLP (C)No.695/2012)

In view of the order passed in C.A. Nos. 8073-8093/2014, the appeal stands disposed of.

C.A.8095-8097/2014(@ SLP (C)Nos.4838-4840/2012)

In view of the order passed in C.A. Nos. 8073-8093/2014, the appeals stand disposed of.

C.A.8098/2014(@ SLP (C)No.9089/2012)

In view of the order passed in C.A. Nos. 8073-8093/2014, the appeal stands disposed of.

.....J.
[SUDHANSU JYOTI MUKHOPADHAYA]

.....J.
[PRAFULLA CHANDRA PANT]

New Delhi;
August 22, 2014.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal(C)Nos. 33655-33675/2011

(Arising out of impugned final judgment and order dated 24/10/2011 in WPC No. 5627/2011, WPC No.2601/2011, WPC No.2602/2011, WPC No. 5051/2011, WPC No.5099/2011, WPC No.5114/2011, WPC No.5277/2011, WPC No. 5423/2011, WPC No. 5595/2011,WPC No. 5614/2011, WPC No. 5928/2011, WPC No. 5931/2011, WPC No.5933/2011,WPC No.5935/2011,WPC No. 6102/2011, WPC No. 6144/2011, WPC No. 4408/2011,WPC No. 4409/2011, WPC No. 5089/2011, WPC No. 5444/2011, WPC No. 5798/2011 passed by the High Court of Delhi at N. Delhi)

(With appln. for directions and interim relief and office report)

SHANKAR LAL & ORS. ETC. ETC.

Petitioner(s)

VERSUS

NEW DELHI MUNL.COUNCIL & ORS.

Respondent(s)

(with appln. (s) for directions and interim relief and office report)

WITH

SLP(C) No. 695/2012

(With appln.(s) for permission to raise addl. grounds and file addl. document and Interim Relief and Office Report)

SLP(C) No. 4838-4840/2012

(With appln.(s) for Interim Relief and Office Report)

SLP(C) No. 9089/2012

(With appln.(s) for Office Report)

Date : 22/08/2014 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

HON'BLE MR. JUSTICE PRAFULLA CHANDRA PANT

For Petitioner(s)

Mr. Satish Kumar, Adv.

Mr. Tripathi, Adv.

Mr. S. K. Sabharwal ,Adv.

Mr. Abhindra Maheshwari, Adv.

Mr. Vishwajit Singh, Adv.

M/s Vidhi International ,Adv.

Mr. Shital Khatri, Adv.
Ms. Asiya, Adv., Adv.
Mr. Kuldeep Shankla, Adv.
Mr. Rajesh Goyal, Adv.

For Respondent(s) Mr. Tushar Mehta, ASG
Ms. Ranjana Narayan, Adv.
Mr. D.S. Mahra, Adv.
Mr. B. V. Balaram Das, Adv.

Mr. Surya Kant, Adv.
Ms. Priyanka Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeals stand disposed of in terms of the Signed
order.

(Rajni Mukhi)
Sr. P.A.

(Usha Sharma)
Court Master

(Signed Order is placed on the file)