

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 4158-4159 OF 2002

BOMBAY HAWKERS UNION & ANOTHER ... APPELLANT(s)

Versus

BRIHAN MUMBAI MUNICIPAL CORPORATION AND ... RESPONDENT(s)
ANOTHER

With
CIVIL APPEAL NOS. 4163--4164 OF 2002

A.I. TRADE UNION CONGRESS HAWKERS UNION ... APPELLANT(s)

Versus

BRIHAN MUMBAI MUNICIPAL CORPORATION AND ... RESPONDENT(s)
OTHERS

WITH
CIVIL APPEAL NO. 4160 OF 2002

LINKING ROAD STALL OWNERS ASSOCIATION ... APPELLANT(s)

Versus

STATE OF MAHARASHTRA AND ANOTHER ... RESPONDENT(s)

WITH
CIVIL APPEAL NOS. 4170-4171 OF 2002

SHAHEEN BAZAR 52 CO-OP. STALL'S H.ASSN. ... APPELLANT(s)

Signature Not Verified

Digitally signed by

Versus

Pardeep Kumar
Date: 2014.09.13
13:33:21 SAST
Reason:

MUNICIPAL CORPORATION OF GREATER BOMBAY ... RESPONDENT(s)
AND OTHERS

WITH

CIVIL APPEAL NOS. 4167-4169 OF 2002

BOMBAY HAWKERS ASSOCIATION ... APPELLANT(s)

Versus

MUNICIPAL CORPORATION OF GREATER MUMBAI ... RESPONDENT(s)
AND OTHERS

WITH
CIVIL APPEAL NOS. 4165-4166 OF 2002

SHEIKH MEMON STREET HAWKERS'S ASSON. & ... APPELLANT(s)
ORS.

Versus

MUNICIPAL CORPORATION OF BRIHAN MUMBAI ... RESPONDENT(s)

WITH
CIVIL APPEAL NOS. 4179-4180 OF 2002

NATHUNI H. SHAH & OTHERS. ... APPELLANT(s)

Versus

BRIHAN MUMBAI MUNICIPAL CORPORATION & ... RESPONDENT(s)
OTHERS

WITH
CIVIL APPEAL NOS. 4172-4174 OF 2002

JAY HINDUSTAN HAWKERS UNION & ANOTHER ... APPELLANT(s)

Versus

MUNICIPAL CORPORATION OF GREATER MUMBAI ... RESPONDENT(s)
AND OTHERS

3

WITH
CIVIL APPEAL NO. 4178 OF 2002

MAHARASHTRA EKTA HAWKERS UNION & ... APPELLANT(s)
ANOTHER

Versus

MUNICIPAL CORPORATION OF GREATER MUMBAI ... RESPONDENT(s)
AND OTHERS

WITH
CIVIL APPEAL NOS. 4177 OF 2002

MAHARASHTRA EKTA HAWKERS UNION & ... APPELLANT(s)
ANOTHER

Versus

MUNICIPAL CORPORATION OF GREATER MUMBAI ... RESPONDENT(s)
AND OTHERS

WITH
CIVIL APPEAL NO. 9661 OF 2003

BOMBAY HAWKERS ASSOCIATION ... APPELLANT(s)

Versus

MUNICIPAL CORPORATION OF GREATER MUMBAI ... RESPONDENT(s)
AND OTHERS

WITH
CIVIL APPEAL NO. 9662 OF 2003

PANCHRATNA HAWK/VEND WELFARE ... APPELLANT(s)
ASSOCIATION AND ANOTHER

Versus

STATE OF MAHARASHTRA AND OTHERS ... RESPONDENT(s)

4

WITH
CIVIL APPEAL NOS. 9663-9666 OF 2003

NOORBANU MOHAMMED & OTHERS ... APPELLANT(s)
Versus

MUNICIPAL CORPORATION OF GREATER MUMBAI ... RESPONDENT(s)
AND OTHERS

WITH
CIVIL APPEAL NO. 9667 OF 2003

AKHIL BHARTIYA CHARMAKAR SENA AND ... APPELLANT(s)
ANOTHER

Versus

MUNICIPAL CORPORATION OF GREATER MUMBAI ... RESPONDENT(s)
AND OTHERS

WITH
CONTEMPT PETITION (C) NOS. 26-27 OF 2009
IN
CIVIL APPEAL NOS. 4156-4157 OF 2002

CITIZEN FORUM FOR PROTECTION OF PUBLIC .. PETITIONER(s)
SPACES(CITY SPACE) .

Versus

DR. JAIRAJ PHATAK & OTHER ... RESPONDENT(s)

WITH
CONTEMPT PETITION (C) NOS. 113-114 OF 2008
IN
CIVIL APPEAL NOS. 4158-4159 OF 2002

MUMBAI HAWKERS UNION ... PETITIONER(s)

Versus

T.C. BENJAMIN AND OTHERS ... RESPONDENT(s)

5

WITH
CONTEMPT PETITION (C) NOS. 538-539 OF 2011
IN
CIVIL APPEAL NOS. 4175-4176 OF 2002

AZAD HAWKERS UNION MUMBAI ... PETITIONER(s)

Versus

ARUP PATNAIK, COMMISSIONER OF POLICE ... RESPONDENT(s)
AND OTHERS

O R D E R

CIVIL APPEAL NOS. 4158-4159, 4163-4164, 4160,
4170-4171, 4167-4169, 4165-4166, 4179-4180, 4172-4174,
4178, 4177 of 2002, 9661, 9662, 9663-9666, 9667 of
2003:

Learned senior counsel and counsel for the
parties are ad idem that the controversy in this
group of matters is concluded by the decision of
this Court in Maharashtra Ekta Hawkers Union and
another vs. Municipal Corporation, Greater Mumbai

and others1.

Accordingly, these appeals are disposed of
in terms of the judgment of this Court in
Maharashtra Ekta Hawkers Union1. The aggrieved
parties are permitted to pursue their remedy before
the Bombay High Court as observed in the above
1 (2014) 1 SCC 490.

6

judgment.

Civil Appeals are disposed of as above. No

costs.

Contempt Petition (C) Nos. 26-27/2009, 113-114/2008
and 538-539 of 2011:

In view of disposal of civil appeals, no
separate order needs to be passed in the contempt
Petitions. They are disposed of accordingly.

.....CJI.
(R.M. LODHA)

NEW DELHI;
SEPTEMBER 3, 2014

.....J.
(ROHINTON FALI NARIMAN)

7

ITEM NO.104

COURT NO.1

SECTION IX

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

RECORD OF PROCEEDINGS

Civil Appeal No(s). 4158-4159/2002

BOMBAY HAWKERS UNION & ANR.

Appellant(s)

VERSUS

BRIHAN MUMBAI MUNICIPAL CORPN. & ANR.

Respondent(s)

WITH

C.A. No. 4163-4164/2002

C.A. No. 4160/2002

C.A. No. 4170-4171/2002

C.A. No. 4167-4169/2002

C.A. No. 4165-4166/2002

C.A. No. 4179-4180/2002

C.A. No. 4172-4174/2002

C.A. No. 4178/2002

C.A. No. 4177/2002

C.A. No. 9661/2003

C.A. No. 9662/2003

C.A. No. 9663-9666/2003

(With Office Report)

C.A. No. 9667/2003
(With Office Report)
CONMT.PET.(C) No. 26-27/2009 In C.A. No. 4156-4157/2002
(With Office Report)
CONMT.PET.(C) No. 113-114/2008 In C.A. No. 4158-4159/2002
(With Office Report)
CONMT.PET.(C) No. 538-539/2011 In C.A. No. 4175-4176/2002
(With Office Report)

Date : 03/09/2014 These appeals/petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s)

CA 4158-59
CP 113-114 Mr. Shivaji M. Jadhav,Adv.

CA 4163-64 Mr. Sushil Kumar Jain,Adv.
4177, CP 538-39

CA 4160 Mr. Chirag M. Shroff,Adv.

8

: 2 :

CA 4170-71 Mr. Shakil Ahmed Syed,Adv.

CA 4167-69 Mr. P. I. Jose,Adv.

CA 4165-66 Mr. Ashok Kumar Singh,Adv.

CA 4179-80 Mr. Bharat Sangal,Adv.

CA 4172-74 Mr. Puneet Jain, Adv.
Mr. Abhinav Gupta, Adv.
Ms. Khushbu Jain, Adv. for
Ms. Pratibha Jain,Adv.

CA 9661 Mr. Sunil Kumar Jain,Adv.

CA 9662 Mr. Venkateswara Rao Anumolu,Adv.

CA 9663-66 Mr. Vimal Chandra S. Dave,Adv.

CA 9667 Mr. Vijay Kumar,Adv.

CP 26-27 Ms. Madhavi Divan, Adv.
Mr. D. Bharat Kumar, Adv.
Mr. S. Mohandas, Adv.
Mr. Abhijit Sengupta,Adv.

For Respondent(s) Mr. Pallav Shishodia, Sr.Adv.
Mr. Bhargava V. Desai, Adv.

Ms. Anjani Aiyagari, Adv.
Ms. Kiran Bhardwaj, Adv.for
Ms. Sushma Suri, Adv.

Mr. Aniruddha P. Mayee,Adv.

Mr. Bhargava V. Desai,Adv.

Mr V.N. Raghupathy, Adv.

Mr. Ravindra Keshavrao Adsure, Adv.

Mr. D.N. Mishra, Adv.

Mr. K.L.Janjani, Adv.

Mr. P. Parmeswaran, Adv.

Mrs. V.D.Khanna, Adv.

Mr. Naveen R. Nath, Adv.

9

: 3 :

Ms. Ruby Singh Ahuja, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Civil Appeals and contempt petitions are disposed of in terms of signed order. Pending application (s), if any, stands disposed of.

(PARDEEP KUMAR)

AR-cum-PS

[SIGNED ORDER IS PLACED ON THE FILE]

(RENU DIWAN)

COURT MASTER