

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17976 of 2019**

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1. Patna Junction Thela Footpath Dukandar Sangh, through its President - Anil Kumar Sinha, aged about 49 years, Gender- Male, Son of Ashok Kumar Sinha, Resident of 44, Station road, Goriya Toli, P.s.- Kotwali, District- Patna.
2. Sunil Kumar, Son of Devki Nandan Prasad, Resident of Neora Road, near Petrol Pump, P.s.- Neora, District- Patna.
3. Kunal Kishore, Son of Devilal Gupta, Resident of Harischandra nagar, Sampatchak, Patna.
4. Arvind Kumar, Son of Jitendra Kumar, Resident of 9, Saraswati Shiksha Niketan, Main Road, Karbigayiya, Patna.
5. Ganga Rai, Son of Vakil Ray, Resident of Gyaspur Mahaji, P.O.- Jala Diyara, Salimpur, Gyaspur, Mahazi, Patna.
6. Tokhan Rai, Son of Ramchandra Ray, Resident of Saidabad, Mohanpur, Vaishali, Bihar.
7. Jitendra Kumar, Son of I Resident of
8. Pinku Kumar, Son of Arvind Kumar, Resident of 72, Station Road, Adarsh Nagar, Fatwah, Patna.
9. Vikash Kumar, Son of Rameshwar Rajak, Resident of Station Road, Ufan Gali Near Railway Line, Goriyatoli, Patna.
10. Deepak Kumar, Son of Jyoti Krishna Ray, Resident of House No. - 156 Goriya Toli, Station Road, Patna.
11. Shivendra Rai, Son of Late Krishna Ray, Resident of Majhauri, Patna.
12. Lakshman Saw, Son of Jagdev Saw, Resident of Ramdas Path Gali Mithapur B Area Phulwari, Patna.
13. Mantu Rai, Son of Sri Nawal Rai, Resident of Raghapur Purwi, Raghapur, Vaishali.
14. Anil Kumar, Son of Bholu Pd. Gupta, Resident of New Etwarpur, Lalu Path, Parsa Bazar Kurthol, Patna.
15. Ajit Kumar, Son of Ram Milan Singh, Resident of Station Road, Near Ram Kripal Yadav, House Goriya Toli, Patna.
16. Bablu Sao, Son of Munna Saw, Resident of Sudhir Kirana Dukan Kamla Nehru Nagar, Patna.
17. Md. Yusuf Khan, Son of Md. Aslam Khan, Resident of Samanpura, Raja bazar, Patna, Near Rukanpura, Patna.
18. Manish Kumar, Son of Lal Babu Gupta, Resident of E-52 P.c. Colony, Kankarbagh, Sampatchak, Patna.
19. Dharendra Prasad Gupta, Son of Late Mahendra Gupta, R/o Sorampur Shekhpura, Patna.
20. Naseeb Lal, Son of Shital Pd. Yadav, Resident of Kaima Shikoh, Patna City, Patna.



21. Raj Kumar, Son of Rajendra Pd. Gupta, Resident of Raghunath Tola, Patna-2.
22. Umesh Prasad Sao, Son of Ramatar Sah, Resident of Ward No. 12, Champawati, Sarsidhamdaha, Purnia, Bihar.
23. Ram Briksh Kevat, Son of Ram Kishun Kevat Resident of Sonawchandhari, Nalanda.
24. Ranjit Kumar, Son of Om Prakash Keshri, Resident of Station Road, Goriya Toli, Phulwari, Patna.
25. Ashok Prasad Gupta, Son of Lal Babu Gupta, Resident of 23, Bichla Telpa Chapra, Saran.
26. Ramesh Kumar, Son of Bhola Yadav, Resident of Station Road, Goriya Toli, Patna.
27. Satya Narayan Rajak, Son of Arjun Rajak, Resident of 628, Jagrati Path, Chitkohra, Shivpuri, Anishabad, Patna.
28. Sunil Paswan, Son of Chauhan Paswan, Resident of Chandpur Bela, Phulwari, Patna.
29. Md. Mohiuddin, Son of Md. Inus, Resident of Kokilawara, Muzaffarpur.
30. Uday Shankar Chourasia, Son of Rajchandra Pd. Chourasiya, Resident of 8/176 C.I.D. Lane C/o Sanjay Gaurav, Karbigahiya, Patna.
31. Rajendra Prasad, Son of Vindi Prasad, Resident of West Lohanipur, Railway Hunder, Kadamkuan, Phulwari, Patna.
32. Umesh Prasad Sinha, Son of Sukul Mahto, Resident of Jantapath Postal Parak, Devi Asthan, Chirayatad, Phulwari, Patna.
33. Mahesh Prasad, Son of Shiv Narayan lal, Resident of Ashok Nagar, Chagar Gali No. 2 Kankarbagh, Patna.
34. Abdhesh Ray, Son of Mohit Roy, Resident of Mohanpur, Vaishali.
35. Dilip Prasad, Son of Jagarnath Gupta, Resident of 68/115 Geetakunj Purvi Shivpuri, Chitkohra, Patna.
36. Md. Nathav, Son of Abdul Rahman, C/o Shatrudhan Yadav, Goriya Toli, Station Road, Patna.
37. Ravindra Ram, Son of Pappu Ram, Resident of Prithvipur, Chiraiyatad Lane No. 02, P.S.- Kankarbagh, Exhibition Road, Patna.
38. Arjun Mahto, Son of Mewalal Mahto, Resident of Abhdadpur Chowk, Chaklahadad, Vaishali.
39. Ajay Kumar, Son of Rameshwar Prasad, Resident of Karbigahiya, Patna.
40. Deepak Rai, Son of Mohit Rai, Resident of Mohanpur, Vaishali.
41. Santosh Kumar, Son of Rajendra Prasad Yadav, Resident of Road No. 2 Budh Nagar, Patna- 1.
42. Shrawan Kewat, Son of Sharvish Kewat, Resident of Gram Dharmuchak, Post- Nemthu, District- Gaya.
43. Binay Kumar, Son of Vijay Saw, Resident of Hajipur, Nawada, Millake, District- Nawada.



44. Ram Palat Gupta, Son of Late Nagu Saw, Resident of Daldali Road, Salimpur Ahra, Patna.
45. Manoj Kumar, Son of Chandrika Prasad, Resident of Nala Par, Kerakat, Jaunpur, (Uttar Pradesh).
46. Ram Kumar Yadav, son of Damodar Rai, Resident of Goriya Toli, Station Road, Exhibition Road, Patna.
47. Kanwaljeet Singh, son of Kripal Singh, Resident of Chitkohra, Punjabi Colony, House No. 45, Patna.
48. Gaurav Gupta, Son of Ashok Gupta, Resident of Dariyapur, Gawalamohar Tola, Bankipur, Patna.
49. Gaurav Kumar, son of Late Uday Shankar Burnwal, Resident of Ram Bilash Ram, New Karbigahiya, Phulwari, Patna.
50. Attaullah Khan, Son of Yakuf Khan Resident of Ward 05, Chaknur, Chakmilki, Rampur Kusahia, Samastipur.
51. Raj Kumar Kewat, Son of Late Ram Sharan Kewat, Resident of Sonawan Chandhari, Nalanda.
52. Bunt Singh, Son of Nathuni Singh, Resident of Shivaji Path Yarpur, Phulwari, Patna.
53. Murari Kushwaha, Son of Rameshwar Kushwaha, Resident of Soranpur, Ram Krishna Nagar, Goriya Ashtan, New Jaganpura, Patna.
54. Lal Bahadur Sah, Son of Ganaur Saw, Resident of Jethuli, P.s.- Fatuha, Kachchi Dargah, Patna.
55. Lalan Kewat, Son of Late Paukhan Kewat, Resident of Goriya Toli, Station Road, Patna-1.
56. Ramu Sah, Son of Nand Lal Saw, Resident of Kaimeshikoh Nahar Par, Sampat Chak, Patna.
57. Neeraj Kumar, Son of Naresh Prasad, Resident of New Nathpur Road, Parsa Bazar, Patna.
58. Ajit Kumar, son of Chandewshar Saw, Resident of New Yarpur, Doctor N.C. Ghosh Lane, Devi Asthan, Patna.
59. Shatrudhan Kumar, son of Chandra Shekhar Yadav, Resident of Station Road, Goriya Toli, Patna.
60. Md. Alamgir Hasan, son of Md. Safir Hasan, Resident of Bhadasi Arwal, District- Arwal.
61. Bhola Rajak, son of Prabhu Rajak, Resident of Quarter No.3 Circular Road, Jhauwa Road ke Pichhe Gali, Patna.
62. Kapil Prasad, son of Om Prakash Laheri, Resident of Katra Chowk, Gola Road, Shekhpura.
63. Ramadhar Rai, son of Rajgir Ray, Resident of Ward No. 29 behind Kabristan New Karbigahiya Phulwari Patna.
64. Md. Bablu, son of Md. Ali Imam, Resident of Kamla Nehru Nagar, P.S.- Kotwali, Patna.
65. Ajay Prasad, son of Kishori Saw, Resident of 18A, Dariyapur Gola Mohar



- Tola, Arya Kumar Road, Patna.
66. Gautam Paswan, son of Yogendra Paswan Resident of Station Road, Goriya Toli, Patna.
  67. Rohit Kumar, son of Vinod Saw Resident of Station Road, Goriya Toli, New Durga Mandir, Patna.
  68. Pankaj Kumar Gupta, son of Raj Kumar Gupta, Resident of Kila Road, Kachchi Ghat, Nagla, Patna-8.
  69. Rajesh Kumar, son of Jagdish Mistrah, Resident of Budhaul Gondapur, Nawada.
  70. Md. Rahmat, son of Fajru Rahman, Resident of Karbala, Phulwarisharif, Patna.
  71. Amit Kumar, son of Mahadev Prasad, Resident of Kauwa Khoh, Patna City, District-Patna.
  72. Suresh Prasad Gupta, son of Late Mohan Saw, Resident of Parsa Road, Permanand Mukhiya Ke Gali Mein Rahimpur Parsa Bazar, Patna.
  73. Bhola Sah, son of Nathuni Shah Resident of Noorchak, P.O.- Bisfi, District-Madhubani.
  74. Bablu Kumar Gupta, son of Heera Prasad Resident of Chandmari Road, Surya Path, Kankarbagh, Patna-20.
  75. Jitendra Kumar, son of Ganesh Prasad Gupta, Resident of Noor Hasan Baniya Ke Samne Bakarganj, Mohrampur, Arya Kumar Road, Patna.
  76. Sunil Kumar, son of Baudh Kewat, Resident of Damuhan, Saidabad, Jehanabad.
  77. Md. Ashfak Khan, son of Md. Zabbar Khan, Resident of Naya Tola, Phulwarisharif, Patna.
  78. Shakti Kumar, son of Ramjanam Yadav, Resident of Khushhalpur Daniyawan, Soniawan, Khushiyalpur, Nalana.
  79. Chandan Poddar, Son of Ramnandan Poddar, Resident of Kaushalpur, P.S.-Amarpur, Kol Buzurg, Banka.
  80. Shrawan Kumar, son of Nawal Kishore Poddar, Resident of Station Road, Goriya Toli, Phulwari, Patna.
  81. Suraj Kumar, son of Nawal Kishore Poddar, Resident of Station Road, Goriya Toli, Phulwari, Patna.
  82. Manoj Kumar, son of Feku Rajak, Resident of Sonawan, Nawada.
  83. Vinod Kumar Gupta, Son of Rajendra Prasad Gupta, Resident of Bhanwar Pokhar, Gwala Toli, Bankipur, Patna.
  84. Suresh Prasad, son of Bijay Nath Prasad Resident of Prithvipur, Chiraiyatad, Gali No.1 Patna-1.
  85. Kashi Saw, son of Ramchandra Saw, Resident of Kothiyan, Khagaul, Kothiyan, Patna.
  86. Rajesh Mishra, Son of Jagdish Mishra, Resident of Karbigahiya, Phulwari, Patna.
  87. Dharmendra Rai, son of Shankar Ray, Resident of Lakhanpur Tal, Desari,



Vaishali.

88. Bipin Verma, son of Suresh Kumar Shrivastav, Resident of Station Road, Goriya Toli, Patna.
89. Arun Kumar, son of Chandesar Prasad Resident of Postal Park No.3E, Phulwari Patna-1.
90. Md. Tinku Khan, son of Md. Sabbar Khan, Resident of Phulwarisharif, Patna.
91. Golu Kumar, son of Umesh Prasad, Resident of Station Road, Goriya Toli, Patna.
92. Binay Kumar, son of Satyanarayan Lal, Resident of Ekamba, Purnea, Jalalgadha, District- Purnia.
93. Vijay Prasad, son of Kishori Saw, Resident of Daniyapur Gola, Mohar Tola, Kadamkuan, Patna-3.
94. Santosh Prasad, son of Gopalji Prasad, Resident of Nathupur Road, Parsa Bazar, Nathupur, Patna.
95. Amit Verma, son of Suresh Kumar Shrivastav Resident of House of Sanju Yadav, Station Road, Goriya Toli, Patna.
96. Bachche Lal Goswami, son of Mahabir Goswami, Resident of village-Ekamba Jagdama, District-Patna.
97. Vinod Kumar, son of Dudhnath Prasad, Resident of Mohar Tola, Dariyapur Gola, Arya Kumar Road, Bankipur, Patna.
98. Santosh Lal Barnwal, son of Arun Lal Barnwal, Resident of Khaprail Chak, Parsa Bazar, Patna.
99. Ranjit Kumar, son of Janardan Malakar, Resident of Khushhalpur Daniyawan, Soniyawan, Khushiyaipur, Nalanda.
100. Rajesh Prasad Gupta, son of Kishun Prasad Gupta, Resident of C/o Manoj Yadav, Station Road, Goriya Toli, Patna.
101. Lal Babu Prasad, son of Rajendra Prasad Resident of E52 P.C. Colony, Kankarbagh, Patna-20.
102. Md. Mokhtar, son of Md. Nasibur Rahman, Resident of Babu Muhalla Ward No.11 Mahnar Vaishali.
103. Arun Kumar, son of Mahendra Prasad Gupta Resident of 86, Snow Ball Factory Lane, Dariyapur Gola, Mohar Tola, Bankipur, Patna.
104. Raju Kumar Rai, son of Moti Lal Ray, Resident of Baiju Prasad, Bhola And Ko ke Gali Mein, Ram Nagar, Stone Lane, Phulwari, Patna.
105. Lal Babu Gupta, son of Late Duhab Saw, Resident of Ram Das Path, Mitharpur, J.P.O, Phulwari, Patna.
106. Md. Shamim, son of Abdul Rauk, Resident of Sangh Masjid, Phulwari, Patna.
107. Chandu Kumar, Ganesh Prasad Gupta Resident of Bhanvar Pokhar, Opp. Nurhasan Miya, Mohrrampur, Bankipur, Patna.
108. Ram Binay Pandit, son of Ram Bachan Pandit, Resident of New Bypass, East of Goraiya Asthan, Ram Krishna Nagar, Sorangpur, Sampatchak, Patna.



- 109 Uday Prasad Gupta, son of Dwarika Prasad, Gupta, Resident of 056, Shastri Path, Paharpur, Anishabad, Phulwari, Patna.
- 110 Lakshman Prasad, son of Shiv Pujan Prasad, Resident of East Ram Krishna Nagar, Near L.P. Sahi College, New Jaganpura, Patna.
111. Pramod Kumar, son of Lakshman Prasad, Resident of Budh Bihar Colony, Purvi Sipara, Om Bhelwan, Bear, Shekhpura, Patna.
- 112 Pawan Kumar, son of Kapil Yadav, Resident of Dedsai Bigha, Post- Ginjee, Jehanabad, Ginjee, Bihar.
- 113 Bablu Kumar, son of Mohan Prasad, Resident of 6A Langar Toli Gali, Punam Kirana Store, Sampatchak, Patna.
- 114 Raju Yadav, son of Gauri Prasad, Resident of Ghar No.63, Shiv Mandir Gali, Shekhpura, Near Shiv Mandir, B.V. Collg. Patna.
- 115 Bablu Kumar, son of Jawahar Saw Resident of Sabbalpur, Patna, Bihar.
- 116 Firoz Mansoori, son of Lliyash Masuri, Resident of Amjhar Sharif, Sharif Tola, Sukadi Bigha, Amjhar, Aurangabad.
- 117 Tuntun Patel, son of Yugeshwar Prasad Resident of Ghataro, Chaturbhuji, Vaishali.
- 118 Raj Narayan Pandit, son of Late Ram Iqbal Pandit, Resident of Village- Charma, Police Station- Masaurahi, Patna.
- 119 Ajay Kumar, son of Bajrangi Prasad, R/o Vill.and P.O.-Amain, Police Station- Parasbigha, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principle Secretary Department of Urban Development Govt. of Bihar, Patna.
4. The Principle Secretary Department, Revenue and Land Reform Govt. of Bihar, Patna.
5. The Commissioner, Patna Division, Patna.
6. The District Magistrate, Patna.
7. The Block Development Officer, Sadar Patna.
8. The Senior Superintendent of Police, Patna.
9. The Station Head Officer, Kotwali, Police Station Patna.
10. The Municipal Corporation, Patna Municipal Corporation Patna.
11. The Executive Officer, New Capital Circle, Patna Municipal Corporation Patna.

... .. Respondent/s

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**Appearance :**



For the Petitioner/s : Mr.Shashi Bhushan Kumar, Advocate.  
For the Respondent/s : Mr.Subhash Prasad Singh, GA 3  
Mr. Bindhyachal Singh, Advocate.

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**CORAM: HONOURABLE THE CHIEF JUSTICE  
and  
HONOURABLE MR. JUSTICE S. KUMAR  
ORAL JUDGMENT  
(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 23-11-2020**

Petitioners have prayed for the following relief(s):-

(i) For issuance of writ of mandamus commanding upon the respondents to implement the provision of street vendors (Protection of livelihood and Regulation of Street Vending Act 2014 and after survey the town vending committee shall ensure that all existing street Vendors indentified in the survey are accommodated in the Vending Zone (which is not declared till date) in accordance with the plan for Street Vending and the holding capacity of the Vending Zone.

(ii) For issuance of writ of mandamus commanding upon the respondents not to disturb/remove the from existing place of business Street Vendors from existing place of business in the name of Anti encroachment Drives as they are earning their livelihood for themselves and also for their family members. Since last several years as despites several insurance given by the respondents, no Street Vending Zone has been specific and they have been removed one place to another place in the name of the Anti encroachment drive.

(iii) For issuance of writ of Mandamus to Specific



the Vending Zone for the Street Venders.

(iv) For issuance of writ of mandamus commanding upon the respondents to ensure that all the Street Vendors who are earning their livelihood from place situated near the Patna Junction adjacent to Veena Picture Hall, Patna are accommodated in the Vending Zone after specifying the place of Vending Zone.

(v) For the direction to the respondents not to disturb the Street Venders who are earning their livelihood from the place at Patna Junction near Veena Picture Hall, Patna prior to fixing the place as Vendor Zone and accommodating them in the said Vendor Zone.

(vi) For the other reliefs in facts & circumstances of the case.”

It is brought to our notice that petitioners' representation is already pending before appropriate authority.

As such, the petition stands disposed of in the following terms:-

(a) Petitioners' representation, which is pending before the appropriate authority, shall be considered and decided in accordance with law within a period of four weeks from today;

(b) Liberty is reserved to the petitioner to take recourse to such remedy, pursuant to the decision taken on such representation, including approaching this Court afresh on same and



subsequent cause of action, if so required and desired;

(c) We have not expressed any opinion on the merits of the matter.

Petition stands disposed of.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	03.12.2020
Transmission Date	

