IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 18209 of 2021

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DILIP GATUBHAI ROAT
Versus
STATE OF GUJARAT
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Appearance:
MR RONITH JOY(9560) for the Petitioner(s) No.
1,10,11,12,13,14,15,16,17,18,19,2,20,3,4,5,6,7,8,9
MR SATYAM CHHAYA, ADVOCATE for the Respondent(s) No. 3
MR MEET THAKKAR, AGP (99) for the Respondent(s) No. 1
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CORAM:**HONOURABLE MR. JUSTICE BIREN VAISHNAV**
Date : 09/12/2021
ORAL ORDER

1. Heard Mr. Ronith Joy, learned advocate for the petitioners, Mr. Meet Thakkar, learned Assistant Government Pleader for the respondent Nos.1 and 2 and Mr. Satyam Chhaya, learned advocate for respondent No.3 – Corporation on advance copy. Perused the record.

2. The apprehension of the petitioners that the petitioners have been singled out for eviction on the ground of serving food which is not vegetarian is misconceived. The action of the Corporation to remove the hawkers is only when it is found that they are obstructing public roads and causing public traffic.

3. For instance, Mr. Chhaya, learned counsel appearing for the Corporation would invite the attention of the Court

to the photograph at Page No.25 of the petition to indicate that encroachments of the nature which completely occupy footpath and cause obstructions to pedestrian hinders the Corporation's drive to enforce the traffic regulations. It is also submitted that such drive is being taken in compliance of the orders passed by this Court in Public Interest Litigations and shall be taken in accordance with law without any specific preference to a particular group of people.

4.   Mr. Chhaya, learned counsel for the Corporation further states that in case the petitioners approach the Corporation within *24 hours* for releasing their goods and materials based on the policy and in accordance with law, their cases shall be considered *as expeditiously as possible*.

5.   With the aforesaid observations, the petition stands disposed of. No order as to costs. Direct Service is permitted.

[BIREN VAISHNAV, J.]

*** VATSAL