



2026:AHC:61443-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 9201 of 2026

Prince Batham

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Neeraj Srivastava
Counsel for Respondent(s)	:	C.S.C., Kaushalendra Nath Singh

Court No. - 21

HON'BLE MAHESH CHANDRA TRIPATHI, J.
HON'BLE KUNAL RAVI SINGH, J.

1. Heard Shri Neeraj Srivastava, learned counsel for the petitioner, Shri Devesh Vikram, learned Additional Chief Standing Counsel for the State and Sri Kaushalendra Nath Singh, learned counsel for the respondent nos. 2 and 3.

2. The present writ petition has been filed seeking following relief:-

"A. Issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 25.04.2023 passed by Assistant Chief Executive Officer, Noida.

B. Issue a writ, order nature of mandamus directing the respondent authorities not to displace and harass the petitioners from running his petty shops on his respective site.

C. Issue a writ, order or direction in the nature of mandamus directing the respondent authority to allow the petitioner to squat the petitioner at his vending place and not to evict and displace the petitioner in any coercive manner.

D. Issue any other and further suitable writ, order or direction which this Hon'ble Court may deem fit and proper in view of the facts and circumstances of the case, in the interest of justice.

E. Award Cost of the writ petition is favour of the petitioners."

3. The petitioner being a street vendor claims allotment of vending area under the Street Vendors (Protection of Livelihood and Regulation of Street Vending Act, 2014 (in short the 'Act 2014') read with Rule 12 of the Uttar Pradesh Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules 2018.

4. Learned counsel for the petitioner states that petitioner is a street vendor and in most arbitrary manner, the claim of petitioner was rejected by the respondent authority as he has carried out vending in the vending zone as per survey. He has placed reliance upon the order dated 01.05.2024, which is brought on record alongwith supplementary affidavit. He submits that the said order had been passed in response to the order dated 31.10.2022 passed in Writ Petition No.32279 of 2022 (Ratan Yadav and others vs. State of U.P. and others) and the claim of petitioner is squarely covered under the Act of 2014.

5. Per contra, Shri Kaushalendra Nath Singh, learned counsel for NOIDA Authority has vehemently opposed the writ petition and submits that in view of Act 2014, the survey was conducted, wherein, it was found that 7652 vendors were working in various zones, out of which 4936 persons were already allotted places in the vending zone. He submits that at the time of survey, the petitioner was not carrying out the work in the vending zone. Firstly, the endeavour of the Authority is to rehabilitate the remaining vendors in the vending zone and thereafter the new survey would be carried out, then only the fresh area would be earmarked.

6. Considering the aforesaid factual situation, we do not find any reason to discard the survey report and the objection of Shri Kaushalendra Nath Singh is sustainable. It is always expected that the Authority must settle the vendors, who are found in the survey and actually performing or carrying out business at the roadside.

7. In view of the above discussion, we are not inclined to quash the order impugned. Needless to say that the petitioner is at liberty to press the relief under the Act, 2014 at the appropriate stage.

8. With the aforesaid observation, the present writ petition stands **disposed of.**

(Kunal Ravi Singh,J.) (Mahesh Chandra Tripathi,J.)

March 25, 2026
NLY