

28.02.2025  
Item No. 04  
and ML. 2440  
AGM

**IN THE HIGH COURT AT CALCUTTA**  
**CONSTITUTIONAL WRIT JURISDICTION**  
Appellate Side

**WPA No. 4734 of 2025**

**Sri Swapan Kumar Maity & Ors.**

**-vs-**

**State of West Bengal & Ors.**

**With**

**WPA 8517 of 2022**

**With**

**CAN 5 of 2023**

**Sri Swapan Kumar Maity**

**-vs-**

**State of West Bengal & Ors.**

Mr. Syamal Kumar Das.

Ms. Krishna Yadav.

...for the petitioners.

Mr. Sirsanya Bandopadhyay.

Mr. Ritesh Kumar Ganguly.

...for the State.

1. The petitioners claim to be street vendors. The State authority is taking steps for widening of the road, for which, the petitioners who are vending by the side of the road, have been directed to remove their stalls.
2. The petitioners submit that they are holding valid trade licenses from the panchayat and they are doing their business from the said place for quite some time. They do not have any other means of livelihood.
3. It has been fairly submitted that the petitioners do not have any objection to the widening of the road but only prays for a direction upon the State respondents

to frame a scheme for their relocation under the provisions of the Street Vendors (Protection of Livelihood and Regulation of State Vending) Act, 2014.

4. Learned advocate representing the State respondents submits, upon instruction that, as on date, there is no such scheme for relocation of the vendors.
5. I am of the opinion that as the road widening will be for a public purpose, the petitioners do not have any right to object to the same.
6. As regards formulation of the scheme for relocation of the vendors who will be evicted in the process, the State authority shall take steps in the matter strictly in accordance with law.
7. The respondent authorities will, however, permit the petitioners to remove their articles from the place from where they were continuing their business. The petitioners are directed to cooperate and handover peaceful vacant possession to the respondents positively by 6<sup>th</sup> March, 2025.
8. It will be open for the authorities to start the eviction process from 7<sup>th</sup> March, 2025 onwards.
9. Both the writ petitions along with the connected applications are disposed of.
10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

[Amrita Sinha, J]

