

2022 LiveLaw (SC) 373

IN THE SUPREME COURT OF INDIA

M.R. SHAH; B.V. NAGARATHNA, JJ.

Special Leave to Appeal (C) No(s). 5684/2022; 11-04-2022

MADAN LAL *VERSUS* NEW DELHI MUNICIPAL COUNCIL & ANR.

Hawking - Any hawker can be permitted to hawk in the market only as per the hawking policy and not de hors the same - A hawker has no right to insist that he may be permitted to keep his goods and wares at the place where he is hawking overnight. (Para 1)

(Arising out of impugned final judgment and order dated 12-01-2022 in WP(C) No. 681/2022 passed by the High Court of Delhi at New Delhi)

For Petitioner(s) Mr. N.K. Sahoo, Adv. Mr. Ranvir Singh, AOR

ORDER

The prayer before the High Court was that the petitioner, who is a hawker in the Sarojini Nagar Market, be permitted to leave his goods and wares at the place of hawking overnight. The said prayer has been rightly rejected by the High Court. Any hawker can be permitted to hawk in the market only as per the hawking policy and not de hors the same. The petitioner, being a hawker, has no right to insist that he may be permitted to keep his goods and wares at the place where he is hawking overnight. We are in complete agreement with the view taken by the High Court. The concerned authority must act as per the hawking policy.

The Special Leave Petition stands dismissed.

Pending application stands disposed of.

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