



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 15983/2025

CNR: RJHC020904782025 | URN: CW / 36327U / 2025

Aman Khan S/o Abdul Hameed, aged about 26 years, R/o Plot No. 23, Hathroi Bawari, Park Ke Pass, Ajmer Road, Jaipur, Rajasthan-302001.

-----Petitioner

Versus

1. State of Rajasthan, through Chief Secretary, State of Rajasthan, Secretariat, Jaipur.
2. State of Rajasthan, through Secretary, Home Department, Government Rajasthan, Secretariat, Jaipur.
3. State of Rajasthan, through Secretary, Department of Local Bodies, Secretariat, Jaipur.
4. Director General of Police, Police Headquarter, Lal Kothi, Jaipur.
5. Commissioner, Nagar Nigam (Greater), Tonk Road, Jaipur.
6. Commissioner, Nagar Nigam (Heritage), Old Vidhan Sabha, Jalebi Chowk, Badi Chopad, Jaipur.
7. Jaipur Development Authority, through Secretary, JLN Marg, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Kunal Kant Rawat
For Respondent(s)	:	Mr. Manoj Chaudhary Mr. Yadvendra Patel & Ms. Ritu Mishra for Mr. G.S. Gill, AAG Mr. Munendra Singh Fauzdar for Mr. Somitra Chaturvedi, Dy.G.C Mr. Amit Kuri Mr. Dharma Ram

HON'BLE MR. JUSTICE ANAND SHARMA
Order

06/08/2026

1. This writ petition has been filed by the petitioner for seeking direction against the respondents to effectively implement



the provisions of Rajasthan Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2011 & 2014 (for short the 'Act of 2011 & 2014) in all cities of Rajasthan as well as seeking a restraining order not to remove the temporary establishment of the petitioner where he is performing the work of mechanic repairing vehicle. Learned counsel for the petitioner submits that the petitioner was having a kiosk in Vaniki Path (Vidhik Seva Marg) of Civil Lines Road, Nagar Nigam, Jaipur. He has also submitted application for granting him licence to carry out his work as per the Act of 2011, yet licence was not granted to him and the application is still lying pending with the respondents, however, in quite arbitrary manner, the petitioner was threatened for removal of his kiosk in violation of provisions of the Act of 2011 and Rules made thereunder as well as without there being any properly constituted town vending committee. Learned counsel submits that petitioner cannot be deprived of his sole right of livelihood, which is otherwise in violation of Article 14 and 19(1) (g) of the Constitution of India.

2. Learned counsel further submits that in the case of ***Civil Society / Centre for Policy Solutions) v. State of Rajasthan & Ors. in D.B. Civil Writ (PIL) No. 6623/2012***, it has already been held that no street vendor shall be evicted or re-located and shall not be arrested except in the area which are notified temporarily as no vending zone by the local bodies. Learned counsel submits that Vaniki Path (Vidhik Seva Marg) has not been declared as no vending zone therefore, the respondents have got no right to remove the kiosk of the petitioner from the aforesaid place.



3. This Court finds that when this matter was earlier taken up by the Co-ordinate Bench of this Court on 02.04.2026, following order was passed:-

"Mr. G.S. Gill, learned Additional Advocate General, very specifically submits that the road in question namely Vaniki Path (Vidikh Seva Marg) is a non-vending zone and thus, no street vendor can be permitted to operate on the either side of the road under any circumstances. He further submits that the road is also used for VIP movement on a regular basis and thus, granting permission to any person for carrying out any activity on the said road is absolutely impermissible.

Taking note of the said submissions, respondent – State is directed to remove each and every establishment existing on the said road i.e. Vaniki Road (Vidikh Seva Marg) forthwith. The said removal of establishment of vendors should be carried out without any discrimination whatsoever and in a time bound manner, but not later than one week from today i.e. on or before 10.04.2026.

A report in this regard be submitted on or before 16.04.2026 along with adequate and appropriate photographs to establish that no establishment exists on the said road.

Further, the report should also encapsulate the measures to be taken by the respondent – State for ensuring that no such encroachment takes place on the said road in future and the mechanism for regular inspection of the same.

It is once again clarified and directed that the said action of removal of encroachments on the said road should be carried out without any discrimination whatsoever.

Let an affidavit in support of the report be submitted by the Commissioner, Nagar Nigam.

List the matter on 21.04.2026. "

4. In compliance of order dated 02.04.2026 respondents have filed affidavit so as to demonstrate that each and every vendor from Vaniki Path (Vidhik Seva Marg) has been removed.

5. Learned counsel for the respondents drew indulgence of this Court over notification issued by the respondent-Nagar Nigam





with regard to permissible vending zone including the civil lines area. On perusal of the notification with regard to vending zone, it becomes clear that Vaniki Path (Vidhik Seva Marg) has not been declared as vending zone by the respondent-Nagar Nigam.

6. It cannot be denied that right to livelihood of a citizen cannot be taken away in an arbitrary manner, however, it is equally undeniable fact that right under Article 19(1) (g) is neither unqualified nor unfettered. In order to arrange plan of vending zone in a structured manner, pursuant to the provisions of the Act of 2014, when the respondents have declared vending zones by issuing notifications, no person can be allowed to put his kiosk or to make temporary encroachment on any place which has not been declared as vending zone. Needless to observe that any area which has not been declared as a "vending zone" by way of duly published notification shall, by way of necessary implication, be treated as a "non vending zone"

7. So far as the grievance of the petitioner is concerned that at present duly constituted town vending committee has not been framed, so as to revise the notification with regard to vending zone/non-vending zone, learned counsel for the respondents, on instructions submitted that necessary exercise in this regard shall be carried out strictly in accordance with law and duly constituted committee, in consonance of the provisions of law shall be constituted.

8. In view of above, this Court does not find any scope of interference hence, the writ petition filed by the petitioner is hereby dismissed. However, the respondents are directed to constitute town vending committees, strictly as per the provisions



of Act of 2014 and the rules made thereunder and to notify the same expeditiously and preferably within a period of 3 months from today.

9. It goes without saying that in case, any application has been submitted by the petitioner for obtaining vending licence, the same shall be considered and decided by the respondents strictly in accordance with law.

10. Pending application(s), if any, shall also stand(s), disposed of.

(ANAND SHARMA),J

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