

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.445 of 2022

Muna Samantray

....

Petitioner

Mr. S.Mohanty,
Advocate

-versus-

State of Odisha & others

....

Opposite parties

Mr.D.K.Mohanty,
Addl. Standing Counsel
Mr.N.Panda, *Advocate for O.P. No3.*

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

22.02.2022

Order No.

- 01.
1. This matter is taken up by video conferencing mode.
 2. Heard Mr.S.Mohanty, learned counsel for the petitioner, Mr.D.K.Mohanty, learned Addl. Standing Counsel and Mr.Niranjan Panda, learned counsel representing opposite party No.3.
 3. According to Mr.Mohanty the petitioner is aggrieved by non-allotment of kiosk in his favour though he is running his business as a Street Vendor at Ward No.55, Vibekananda Marg Near Mausima Chhak, Bhubaneswar for last 20 years.
 4. During course of hearing Mr.Mohanty submits that though the petitioner has filed a representation dated 12.10.2021 under Annexure-6 before the Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar (opposite party No.3) however prays that liberty may be granted to the petitioner to file a fresh representation to the said opposite party for redressal of his grievances and

further prays that a direction be issued to opposite party No.3 to take a decision on the same within a specific time period. He further prays that in the interregnum the interest of the petitioner may be protected till a decision is taken on the representation.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to approach the opposite party No.3 by filing his representation through registered post along with copy of this order within a period of two weeks hence and in the event such a representation is filed the Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar (opposite party No.3) is directed to take a decision on the same in accordance with law within a period of six weeks and communicate the result of such exercise to the petitioner. Till a decision is taken on the representation, no coercive action shall be taken against the petitioner.

6. The writ petition is accordingly disposed of.

7. Urgent certified copy of the order be granted on proper application.

Kishore

(Biswajit Mohanty)
Judge

(Biraja Prasanna Satapathy)
Judge