

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.448 of 2022

Akram Khan & others

....

Petitioners

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 petitioners, 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 petitioners are aggrieved by non-allotment of kiosk in their favour though they are running their business as Street Vendor at Ward No.40, Near Market Building (Eastern Tower) PS-Capital, Bhubaneswar for last 22 years.
 4. During course of hearing Mr.Mohanty submits that though the petitioners have filed a representation dated 12.11.2021 under Annexure-4 before the Commissioner, Bhubaneswar Municipal Corporation, Bhubaneswar (opposite party No.3) however prays that liberty may be granted to the petitioners to file a fresh representation to the said opposite party for redressal of their 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 petitioners 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 petitioners to approach the opposite party No.3 by filing a 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 petitioner No.1 who in turn is directed to share such information with other petitioners. Till a decision is taken on the representation, no coercive action shall be taken against the petitioners.

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