

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3365 of 2022

Chinam Badri Patra and others* *Petitioners

Mr. Bikram Keshari Mohanty, Advocate

-versus-

State of Odisha and others* *Opp. Parties

Mr. J. Katkia,

Additional Government Advocate

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE K.R. MOHAPATRA

ORDER

04.02.2022

Order No.

1.

1. This matter is taken up through Video Conferencing Mode.

2. Heard Mr. Mohanty, learned counsel for the Petitioner and Mr. Katkia, learned AGA.

3. According to Mr. Mohanty, the Petitioners are street vendors carrying on their trade/business near Pokhariput Chhak, Bhubaneswar. They have approached this Court as they are being threatened with demolition/eviction from their temporary business sheds situated at Ward No.62 over Plot No.380 without affording any alternative sites in the vending zone.

4. During course of hearing, Mr. Mohanty submits that liberty may be granted to the Petitioners to approach Opposite Party No.3-Bhubaneswar Municipal Corporation represented by its Commissioner for redressal of their grievances and further prays that till disposal of their grievance petition their interest may be protected.

5. Considering such submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the Petitioners to file a grievance petition before the Commissioner, Bhubaneswar Municipal Corporation (OP

No.3) within ten days hence along with a copy of this order through speed post. In the event such a grievance petition is received by the Commissioner, BMC, he/she is directed to take a decision on the same in accordance with law within a period of three weeks thereafter and till a decision is taken on the grievance petition undertaken to be filed no coercive action shall be taken against the Petitioners, if they have not already been evicted from their temporary business sheds situated at Ward No.62 over Plot No.380 near Pokhariput Chhak, Bhubaneswar in the meantime.

5. Accordingly, the writ petition is disposed of.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020, modified by Notice No.4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

संयोजक न्यायो (Biswajit Mohanty)
Judge

(K.R. Mohapatra)
Judge

s.s.satapathy