

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6481 of 2022

Sunil Chowdhury & others

....

Petitioners

Mr. S.C.Puspalaka,
Advocate

-versus-

State of Odisha & others

....

Opposite parties

Mr.H.M.Dhal,
Addl. Government Advocate

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

16.03.2022

Order No.

- 01.
1. This matter is taken up by video conferencing mode.
 2. Heard Mr.S.C.Puspalaka, learned counsel for the petitioners and Mr.H.M.Dhal, learned Addl. Government Advocate.
 3. According to Mr.Puspalaka, the petitioners have been doing their business as street vendors under Bhubaneswar Municipal Corporation since last ten years. In recognition of the same, some of the petitioners have been issued Certificates of Street Vending by the Bhubaneswar Municipal Corporation (opposite party No.3) under Annexure-2. While so, suddenly, the petitioners have been threatened with eviction and have been directed to vacate the vending area in Keshari Mall, Unit-2, Market building, Bhubaneswar by the staff of the opposite party No.3 without any rhyme and reason and in violation of the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and rules made there under.
 4. In course of hearing Mr.Puspalaka, submits that

liberty may be granted to the petitioners to file a representation before the Commissioner, Bhubaneswar Municipal Corporation-opposite party No.3 for redressal of their grievances and further submits that the Commissioner be directed to take a decision on such petition within a particular time period. Lastly, he submits that for the interregnum, the interest of the petitioners be protected.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioners to file comprehensive representation before opposite party No.3 along with copy of this order within a period of two weeks. In the event, such representation is received by opposite party No.3, he is directed to take a decision on the same in accordance with law within a period of eight weeks from the date of receipt of such representation and communicate the result of such exercise to petitioner No.1 who in turn is directed to share such information with other petitioners. Till such representation is disposed of, 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