

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4186 of 2013

Jayaram Patra

....

Petitioner

Mr. S.C. Puspalka, Advocate

-versus-

***The Vice-Chairman,
Bhubaneswar Development
Authority, Bhubaneswar and
another***

....

Opp. Parties

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAİK**

Order No.

**ORDER
28.06.2022**

04.

1. This writ petition has been filed praying for a direction to the Bhubaneswar Municipal Corporation (BMC) to allot in favour of the Petitioner “a permanent shop/place” for shifting of his present establishment.
2. While issuing notice in the present petition on 14th March 2013, this Court directed status quo in respect of the shop in question to be maintained. That interim order has continued ever since.
3. For over nine years now, no counter affidavit has been filed by any of the Opposite Parties and therefore the averments in the petition remain uncontroverted.
4. In the circumstances, the Court permits the Petitioner to make a representation to the BMC setting out all the facts

and circumstances and making a prayer on the lines of the prayer made in the present petition. If such a representation is made not later than 1st August 2022, it will be considered on its merits by the Municipal Commissioner, BMC and after hearing the Petitioner, a reasoned order should be passed not later than 10th October, 2022 and communicated to the Petitioner not later than 17th October, 2022. Till such time, the interim order passed by this Court on 14th March, 2013 will continue. If the Petitioner is aggrieved by the order passed by the BMC, it will be open to him to seek appropriate remedies in accordance with law. It is clarified that this Court has not expressed any opinion on the merits of the case.

5. The petition is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(R.K.Pattanaik)
Judge