

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11388 of 2022

Kabita Panigrahi & others* *Petitioners

*Mr. S.C. Puspalaka,
Advocate*

-versus-

State of Odisha & others* *Opp. Parties

*Mr. C.S. Mishra,
Additional Government Advocate*

**CORAM:
JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO**

ORDER

30.06.2022

Order No.

- 03.
1. Heard Mr. S.C. Puspalaka, learned counsel for the petitioners and Mr. C.S. Mishra, learned Additional Government Advocate.
 2. According to Mr. Puspalaka, the petitioners are aggrieved by the non-issuance of vending certificates in their favour in accordance with the provisions of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.
 3. Mr. Mishra relying on Odisha Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2015 submits that for the said purpose, the petitioners should apply to the Town Vending Committee, who after making necessary scrutiny in accordance with the provisions of the Scheme is empowered to issue the certificate of vending. He further submits that for the said purpose Form-II attached to the Scheme provides the application format for grant of certificate of vending.
 4. In such background, Mr. Puspalaka prays that liberty

may be granted to the petitioners to file the appropriate applications for grant of certificates of vending to the Town Vending Committee which has been constituted vide notification No.30123 dated 22.06.2022 headed by the Commissioner, Bhubaneswar Municipal Corporation and prays that a direction be issued to the Commissioner, Bhubaneswar Municipal Corporation (opposite party No.3) to take appropriate steps for taking decisions on such applications.

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 the required applications under the Odisha Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2015 before the Commissioner, Bhubaneswar Municipal Corporation (opposite party No.3) within a period of two weeks from today. In the event, such applications are filed along with a copy of this order, the opposite party No.3 is directed to take appropriate steps so that ultimate decisions on such applications in accordance with law are taken within a period of three months from the date of receipt of such applications. He is directed to communicate the result of such exercise to the petitioners.

6. Accordingly, this writ petition is disposed of.

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

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge