

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11618 of 2022

Bhabeni Senapati

....

Petitioner

Mr. A.Pattanaik,
Advocate

-versus-

State of Odisha & others

....

Opposite parties

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

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

16.05.2022

Order No.

- 01.
1. Heard Mr.A.Pattanaik, learned counsel for the petitioner and Mr.H.M.Dhal, learned Addl. Government Advocate.
 2. According to Mr.Pattanaik, though the petitioner is a street vendor and doing her business since 1997 in Shyampur Mouza over Plot No. 833 under Bhubaneswar Municipal Corporation, however till date she has not been granted a certificate of street vending.
 3. Mr.Dhal, learned Addl. Government Advocate submits that for such purpose the petitioner has to file an application under Form-II of Odisha Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2015. However without making such application the petitioner has unnecessarily rushed to this Court.
 4. In such background, learned counsel for the petitioner submits that liberty may be granted to the petitioner to file appropriate application in the above noted

Form-II before the Commissioner, Bhubaneswar Municipal, Corporation (opposite party No.2) and further prays that a direction may be issued to the said opposite party to take a decision on the same within a specific time period. For the interregnum her interest may be protected.

5. Considering such submissions and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to file appropriate application before opposite party No.2 along with a copy of this order through registered post with A.D. within a period of two weeks hence. In the event, such an application is received by the opposite party No.2, he/she is directed to take a decision on the same in accordance with law within a period of four weeks there from and communicate the result of such exercise to the petitioner. Till a decision is taken on such application no coercive action shall be taken against the petitioner.

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