

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15792 of 2022

***Abdul Kahar Malida &
Others***

....

Petitioners

Mr. T.K. Sahoo, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. Ch. Satyajit Mishra,
Additional Government Advocate*

CORAM:

**JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO**

ORDER

28.06.2022

Order No.

01. 1. Heard Mr. T.K. Sahoo, learned counsel for the petitioners and Mr. Ch. Satyajit Mishra, learned Additional Government Advocate for the State.
2. The petitioners are stated to be the street vendors, doing their business at the left side from AG to Rajmahal road, near Rajdhani Durga Puja Samiti, Unit-2, Bhubaneswar.
3. The grievance of the petitioners is that, they are being proposed to be evicted from their place of business, without following the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.
4. It is further submitted by the learned counsel for the petitioners that, without re-settling the petitioners, they are being proposed to be evicted.

5. Regard being had to the facts and submissions and without going into the merit of the case, we dispose of the writ application, by directing the petitioners to file detailed individual representations before the Commissioner, Bhubaneswar Municipal Corporation-Opp. Party No.2, within a period of three weeks from today. If such representations are filed, the same shall be disposed of in accordance with law, within a period of two months from the date of its filing, by passing reasoned orders & communicate result of such exercise to the petitioners.

6. It is made clear that, the petitioners shall not encroach upon the road leading to the quarters and other public access in the guise of doing their business. If they do so, they may be evicted pending question of their re-settlement.

7. If the petitioners abide by the aforesaid direction of this Court, no coercive action shall be taken against the petitioners till disposal of the representations.

8. The writ application is accordingly disposed of.

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

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

