

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.17357 of 2022

Jayakrushna Mangaraj

.....

Petitioner

Mr.Ashok Pattanaik, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. H.M.Dhal,

Addl. Government Advocate

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE SAVITRI RATHO

ORDER

28.07.2022

Order No.

01.

1. Heard Mr.Ashok 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 Tiffin business since 2002 in Ghatikia square over a Government Plot under Bhubaneswar Municipal Corporation, however till date he has not been granted a certificate of street vending. He further submits that in the meantime, the petitioner has been evicted from the place of his business.
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.

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.

6. The writ petition is accordingly disposed of.

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

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge