

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.19568 of 2022

Prafulla Kumar Swain

....

Petitioner

Mr. A.K. Tarai, Advocate

-versus-

State of Odisha & Others

....

Opp. Parties

Mr. H.M. Dhal, AGA

CORAM:

**JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO**

ORDER

24.08.2022

W.P.(C) No. 19568 of 2022 & I.A. No. 10466 of 2022

Order No.

01.

1. Heard Mr. A.K. Tarai, learned counsel for the petitioner and Mr. H.M. Dhal, learned Additional Government Advocate.
2. According to Mr. A.K. Tarai, the grievance of the petitioner in this case is that opposite party no.3 has announced to demolish the Snacks Shop of the petitioner situated at near Big Bazaar, Ward No. 34, Unit-III, Kharabela Nagar, Bhubaneswar without any written notice and without allotting an alternative site for relocation of his shop in the background of the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.
3. Mr. Dhal, learned Additional Government Advocate submits that instead of approaching the opposite party no.3 in the matter, the petitioner has

unnecessarily rushed to this Court.

4. Considering the submissions made, this Court permits the petitioner to move the Bhubaneswar Municipal Corporation (Opposite Party No.3) by filing a comprehensive grievance petition highlighting all his grievances within a period of ten days from today. In the event, such a grievance petition is filed before opposite party no.3, the said opposite party is directed to take a decision on the same in accordance with law by passing a reasoned order after giving an opportunity of hearing to the petitioner.

5. Till disposal of the grievance petition, no coercive action shall be taken against the petitioner with regard to his Snacks Shop at near Big Bazaar, Ward No. 34, Unit-III, Kharabela Nagar, Bhubaneswar.

6. The writ application is disposed of.

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

8. A free copy of this order be supplied to Mr. Dhal, learned Additional Government Advocate for onward communication.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

puspa

