

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20552 of 2022

Bichitra Nanda Sahoo & Others* *Petitioners
Mr. D. Mohapatra, Advocate

-versus-

State of Odisha & Another* *Opp. Parties
Mr. H.M. Dhal, AGA

CORAM:

**JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO**

ORDER

24.08.2022

W.P.(C) No. 20552 of 2022 & I.A. No. 10978 of 2022

Order No.

01. 1. Heard Mr. D. Mohapatra, learned counsel for the petitioners and Mr. H.M. Dhal, learned Additional Government Advocate.
2. According to Mr. D. Mohapatra, the grievance of the petitioners in this case is, that opposite party no.2 has announced to demolish the Stationery Shops of the petitioner nos.1, 3, 6, 7, 8, 9, 11, 12 & 13, Cloths Shops of petitioner nos. 2, 4 & 10 and peripatetic shop of petitioner no.5 situated at Unit-2, Ward No. 40 of Opposite Party No.2 without any written notice and without allotting alternative sites for relocation of their shops in the background of the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 though all of them carry Street Vendor Identity Cards issued by Bhubaneswar Municipal Corporation under Annexure-2 series.
3. Mr. Dhal, learned Additional Government Advocate submits that instead of approaching the opposite party no.2

for redressal of their grievances, the petitioners have unnecessarily rushed to this Court.

4. In such background, Mr. Mohapatra submits that liberty be granted to the petitioners to file grievance petitions before opposite party no.2 & for the interregnum, their interest be protected.

5. Considering the submissions made, this Court permits the petitioners to move the Bhubaneswar Municipal Corporation (Opposite Party No.2) by filing individual grievance petitions highlighting all their grievances within a period of ten days from today. In the event, such grievance petitions are filed before opposite party no.2, the said opposite party is directed to take decision on the same in accordance with law by passing reasoned orders after giving an opportunity of hearing to the petitioners.

6. Till disposal of the grievance petitions, no coercive action shall be taken against the petitioners with regard to their shops in question situated at Unit-2, Ward No. 40 of Opposite Party No.2.

7. The writ application is disposed of.

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

9. 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

