

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 20634 OF 2022

Ganesh Mantri

***..... Petitioner
Mr. S.C. Puspalaka, Advocate***

-versus-

State of Odisha & others

***..... Opposite Parties
Mr. H.M.Dhal,
Additional Government Advocate***

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE SAVITRI RATHO

ORDER

25.08.2022

W.P. (C) No. 20634 OF 2022 & I.A. No.11016 of 2022

Order No.

01.

1. Heard Mr. S.C. Puspalaka, learned counsel for the petitioners and Mr. H.M. Dhal, learned Additional Government Advocate.

2. According to Mr. Puspalaka, the grievance of the petitioner, who is having a street vendor Identity Card issued by Opposite Party No.3 is that Opposite Party No.3 has announced to demolish the shop of the petitioner situated inside Indradhanu Market, Ward No. 27, Jaydev Vihar, 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. Mohapatra, 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 shop situated inside Indradhanu Market Ward No. 27, Jaydev Vihar, Bhubaneswar.

6. The Writ Petition and the Interlocutory Application are disposed of.

7. Urgent certified copy of this order be granted as per rule.

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

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge