

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.22791 of 2022

Sanjay Kumar Swain and another

Petitioners
Ms.K.Patra, Advocate

Vs.

State of Odisha and others

Opposite Parties
Mr.H.M.Dhal, AGA

CORAM:

JUSTICE BISWAJIT MOHANTY
JUSTICE SAVITRI RATHO

ORDER
07.09.2022

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. Heard Ms.K.Patra, learned counsel for the petitioners and Mr.H.M.Dhal, learned Addl. Government Advocate.
 3. According to Ms.Patra, though the petitioners are street vendors and were doing their business for last 20 years at Vani Vihar in front of IMMT, Ward No.17, Bhubaneswar over the Government Plots within the jurisdiction of Bhubaneswar Municipal Corporation. However till date they have not been granted certificates of street vending and have been evicted from their place of business.
 4. Mr.Dhal, learned Addl. Government Advocate submits that for such purpose the petitioners have to file applications in Form-II of Odisha Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2015. However without making such application the petitioners have unnecessarily rushed to this Court.
 5. In such background, Ms. Patra wants to withdraw the writ

petition to approach the Commissioner, Bhubaneswar Municipal Corporation (opp. party No.3) for issuance of certificates of vending in tune with the provision of Odisha Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2015 and further prays that a direction may be issued to the said opposite party to take a decision on such applications within a specific time period.

6. Considering such submissions and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioners to file appropriate applications before opposite party No.3 along with a copy of this order through registered post with A.D. within a period of two weeks hence. In the event, such applications are received by the opposite party No.3, he/she is directed to take a decision on the same in accordance with law within a period of two months there from and communicate the result of such exercise to the petitioners.

7. The writ petition is accordingly disposed of, as withdrawn.

8. Urgent certified copy of this order be granted as per rules.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

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