

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26902 of 2022

(Through hybrid mode)

Prafulla Kumar Parida & others

Petitioners

Mr. S.C. Puspalaka, Advocate

-versus-

State of Odisha and others

Opposite Parties

*Mr. Y.S.P. Babu, Advocate
(Additional Government Advocate)*

CORAM:

**JUSTICE ARINDAM SINHA
JUSTICE SANJAY KUMAR MISHRA**

ORDER

08.12.2022

Order No.

01. 1. Mr. Puspalaka, learned advocate appears on behalf of petitioners and submits, impugned is order dated 29th August, 2022 passed by Commissioner, Bhubaneswar Municipal Corporation (BMC). He submits, his clients were to be relocated. This relocation has been denied by impugned order. He seeks interference.
2. Mr. Babu, learned advocate, Additional Government Advocate appears on behalf of State.
3. Perused impugned order. We find there was allotment of land by General Administration (GA) Department for establishment of vending zone at Power House Square in front of

120 Battalion, in year 2006. Impugned order was made pursuant to WP(C) no.13270 of 2021 disposed of by order dated 7th September, 2021, requiring petitioners' representation to be considered by the authority and order made. Impugned order says that petitioners did not have any documents to show. The writ petition also does not disclose any document to show existence of petitioners as vendors, between year 2006 and at least up to year 2021, when their earlier writ petition WP(C) no.13270 of 2021 was filed. We find from aforesaid order dated 7th September, 2021, passed by the first Division Bench, there is no reference therein to any document produced by petitioners to establish they carried on business in the meantime as street vendors.

4. In facts and circumstances noticed as above, no merit is found in the writ petition. It is dismissed.

(Arindam Sinha)
Judge

(S.K. Mishra)
Judge

P.Pradhan