

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.28374 of 2022

Shankarlal Mandothia

....

Petitioner(s)
Mr.G.K. Mohanty,
Sr. Advocate

-versus-

State of Orissa & Ors.

....

Opposite Party(s)
Mr. S.P. Panda,
Addl. Govt. Adv.

CORAM:
JUSTICE BISWANATH RATH

ORDER
28.10.2022

Order No.

W.P.(C) No.28374 of 2022 & I.A. No.14623 of 2022

01. 1. This Writ Petition involves the following prayer:-

“That, the Petitioner therefore prays that in the facts and circumstances stated above this Hon’ble Court may graciously be pleased to admit the Writ Petition issue notice to the Opposite Parties, call for the records if necessary and after hearing to the parties to this Writ Petition, this Hon’ble Court may further be graciously pleased to issue an appropriate Writ in the nature of mandamus or any other Writ directing the Opp. Parties more particularly the Opp.Party No.4 to renew the Trade Licence of the Petitioner for a period of 5 years within a time stipulated by this Hon’ble Court.”

2. It appears, on the selfsame issue there is already pendency of an application of the Petitioner with due payment vide Annexure-3. Considering that there is already delay in taking decision in such matters, this Court directs the Opposite Party No.4 to take a final call

on the request of the Petitioner for renewal of the license involved herein, within a period of three weeks from the date of communication of a certified copy of this order by the Petitioner.

3. Further taking into consideration the provision at Section 290(3) of the Odisha Municipality Act, 1950, this Court observes, in the event the Opposite Party No.4 is already in receipt of the application for renewal of the license of the Petitioner, it may consider the claim for grant of provisional trade license in favour of the Petitioner forthwith, subject to however the Petitioner has already provided supporting documents and required fees. Upon grant of provisional license, there may not be any coercive action against the Petitioner till a final outcome on the request of the Petitioner involving renewal of the trade license by the Opposite Party No.4.

4. The Writ Petition is, accordingly, disposed of with the above order.

(Biswanath Rath)
Judge