

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29072 of 2022

Ranjit Mohapatra

....

Petitioner(s)

Mr. A. Pattanaik,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. S.K. Samal,
Addl. Govt. Adv.

CORAM:

JUSTICE BISWANATH RATH

ORDER

25.11.2022

Order No.

01.

1. Through the Writ Petition the Petitioner submits that there are number of temporary shops even some permanent shops being run by different persons as a matter of sole source of their livelihood. It is alleged that in spite of the Petitioner's running his livelihood only through cabin installed over the Government land by doing some sort of business having a trade license, the Public Authorities are only disturbing the Petitioner and even not disturbing the similarly situated persons. It is alleged that there is targeting the Petitioner only.

2. Be that as it may, it appears, on the selfsame issue the Petitioner has already made a representation to the Collector, Khurda vide Annexure-4. For the pendency of a decision on the request of the Petitioner this Court finds, the writ petition is premature one. In the process this Court directs the Collector, Khurda to look into the grievance of the Petitioner vide Annexure-4 and do the needful

within a period of three weeks from the date of communication of a certified copy of this order by the Petitioner and also involving the Petitioner. In the decision making process the Collector, Khurda shall keep in mind, if the shop room involved is the only source of income of the Petitioner to sustain his livelihood, further similarly situated persons are also continuing. In the event the public authority requires the land involved for public purpose, there may be consideration on suitable shifting of the Petitioner to any other viable plot.

3. The writ petition stands disposed of with the above order.
4. Free copy of this order be handed over to the learned State Counsel for necessary communication.

(Biswanath Rath)
Judge

Ayaskanta Jena

