IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.37472 of 2026

CNR No. ODHC010871272026

Sarat Chandra Prusty & Ors. …. ***Petitioner(s)***

Mr. Shivsankar Mohanty, Adv.

-versus-

The State of Odisha & Ors. …. ***Opposite Party(s)***

Mr. Manmaya Kumar Dash, ASC
Mr. Ishwar Mohanty, Adv.

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER

Order No. 03. **25.11.2026**

1. This matter is taken up through hybrid arrangement.

2. In filing the present Writ Petition, the Petitioners, who run their respective businesses unauthorizedly within the jurisdiction of the Bhubaneswar Municipal Corporation without, have sought for a direction from this Court to the Opposite Parties for recognizing them as Street Vendors by granting necessary Certificates of Vending as per the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 in their favour.

Apart from the above, the Petitioners have also sought for a direction from this Court to the Vice-

Signature Not Verified
Digitally Signed
Signed by: AYASKANTA JENA
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa
Date: 26-Nov-2026 16:16:07

Chairman, Bhubaneswar Development Authority/ Opposite Party No.2 for not evicting them from the disputed site in question near the Electric Office, Kalinga Nagar, Ward No.23, Bhubaneswar without following due process of law.

3. Heard.

4. At the outset, Mr. Ishwar Mohanty, learned counsel for the Bhubaneswar Municipal Corporation, on instruction, submits that instead of preferring the present Writ Petition, the Petitioners should have made necessary applications for grant of Certificates of Vending in their favour before the Vending Committee of the Bhubaneswar Municipal Corporation at the threshold of the dispute.

5. In such view of the matter, this Court without expressing any opinion on the merits of the case of the Petitioners, directs the Petitioners to make necessary applications for grant of Certificates of Vending before the Commissioner, Bhubaneswar Municipal Corporation (BMC) / Opposite Party No.3 within a period of seven working days hence. In such event, the Commissioner, Bhubaneswar Municipal Corporation shall take a lawful decision on the said application to be filed by the Petitioners within a month thereafter. It is also directed that till a decision on the applications to be filed by the Petitioners is taken, the

Signature Not Verified
Digitally Signed
Signed by: AYASKANTA JENA
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa
Date: 26-Nov-2026 16:16:07

Petitioners shall not be evicted from the disputed premises in questions.

6. It is, however, made clear that if the Petitioners disturb the commuters in any way or obstruct the vehicular activities in the said area, the concerned authorities of the Bhubaneswar Municipal Corporation shall take effective steps as per law with the help of the local Police for evicting the Petitioners from the disputed site in question.

7. This Writ Petition is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

(Murahari Sri Raman)
Judge

Ayaskanta

Signature Not Verified
Digitally Signed
Signed by: AYASKANTA JENA
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa
Date: 26-Nov-2026 16:16:07