
(2023) 04 OHC CK 0076

In the Orissa High Court

Case No : Writ Petition (C) No.38868 Of 2021

Jitendra Kumar Sahoo & Others

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 06-04-2023

Acts Referred:

Citation : (2023) 04 OHC CK 0076

Hon'ble Judges : Arindam Sinha, J;S. K. Mishra, J

Bench : Division Bench

Advocate : S. Mohanty, A.K. Nanda, B.K. Dash

Final Decision : Disposed Of

Judgement

1. Mr. Mohanty, learned advocate appears on behalf of petitioners, who are fifteen in number. He submits, his clients are street vendors and have sought interference of this Court for direction upon Bhubaneswar Municipal Corporation (BMC) to relocate them in accordance with law.

2. Mr. Nanda, learned advocate, Additional Government appears on behalf of State.

3. Mr. Dash, learned advocate appears on behalf of BMC. He draws attention to office order dated 16th September, 2021 disclosed as annexure-3 in the writ petition. He submits, Zonal Deputy Commissioner, BMC made the order. He points out therefrom that fifteen persons, who are carrying on their vending at Durga Puja Mandap ground near Rupali Square, Saheednagar, Bhubaneswar and adjacent to BSCL MLCP will be rehabilitated provisionally and thereafter on final allotment.

4. We dispose of this writ petition by confirming interim order dated 6th January, 2022 made by coordinate Bench. The direction is reproduced below.

"8. Till the next date, no coercive action shall be taken against the petitioners."

We make it clear that BMC is aware, petitioners are carrying out their vending business at the place mentioned in aforesaid office order dated 16th September, 2021.

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