

(2023) 03 OHC CK 0105
In the Orissa High Court
Case No : Writ Petition (C) No. 3371 Of 2023

Manoj Kumar Swain

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 15-03-2023

Acts Referred:

Citation : (2023) 03 OHC CK 0105

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

Bench : Division Bench

Advocate : Ajay Kumar Pandey, Suman Pattanayak

Final Decision : Disposed Of

Judgement

1. Mr. Nandy, learned advocate appears on behalf of petitioner and submits, his client is a street vendor. He has certificate of trade license valid upto 31st March, 2023 as well as certificate of vending that expired on 31st March, 2021. His client also has street vending identity card. These documents have been annexed to the writ petition. They were issued by Bhubaneswar Municipal Corporation (BMC). He submits, his client prays for interference and direction upon BMC not to close the vending unit of his client at District Centre, Chandrasekharapur, Bhubaneswar without due procedure of law as in Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

2. Ms. Pattanayak, learned advocate, Additional Government Advocate appears on behalf of State.

3. We are satisfied that BMC is aware of petitioner being a vendor at the vending site, for which he was issued aforesaid documents. In the circumstances, instead of directing issuance of notice we make it clear that opposite party nos. 3 and 4, in event resort to taking action against petitioner, it must be in accordance with law provided for street vendors, including relocation.

4. Petitioner will communicate this order to opposite party nos. 3 and 4.

5. The writ petition is disposed of.

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