

**(2023) 02 OHC CK 0046**

**In the Orissa High Court**

**Case No : Writ Petition (C) No. 3860 Of 2023**

Sk. Farid

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

**Date of Decision : 09-02-2023**

**Acts Referred:**

**Citation : (2023) 02 OHC CK 0046**

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

**Bench : Division Bench**

**Advocate : Prasanta Kumar Nanda, P.K. Rout**

**Final Decision : Disposed Of**

## **Judgement**

W.P.(C) no.3860 of 2023 and I.A. no.1715 of 2023

1. Mr. Nanda, learned advocate appears on behalf of petitioner. He submits, his client is street vendor carrying on his business at backside of Mosque, Bhoun Nagar Daily Market. No survey has been conducted. Apprehending eviction, on reason to believe that Bhubaneswar Municipal Corporation (BMC) is to demarcate and develop the area as a vending zone, he has moved this Court for direction on relocation or to settle shop rooms. To that end, his client's made representation dated 30th January, 2023 to the Commissioner, Bhubaneswar Municipal Corporation (BMC). He prays for direction to consider the representation and protection in the meantime.

2. Mr. Rout, learned advocate, Additional Government Advocate appears on behalf of State and submits, petitioner is not vendor. He is carrying on business without trade licence.

3. We notice annexure-1 is disclosure of documents issued by BMC. Since, petitioner wants consideration of the representation, we are not inclined to direct issuance of notice on the corporation. It is true that petitioner has rushed to Court straightaway on making the representation. Nevertheless, opposite party

no.2 is directed to either through the office or cause consideration of said representation dated 30th January, 2023, made by petitioner. Petitioner will communicate this order and copy of the representation to said opposite party. Status quo be maintained till two weeks after result of the consideration is made known to petitioner/learned advocate on his plea of priority allotment.

4. The writ petition and the I.A. are disposed of.

.....