



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). NO.7430 OF 2021

Avisekha Behera

Petitioner

Mr. Goutam Mukherjee Senior Advocate
being assisted by Mr. S.D. Ray, Advocate

-versus-

***Orissa State Road Transport
Corporation represented through the
Managing Director, Bhubaneswar and
others***

Opp. Parties

Mr. Manmaya Kumar Dash,
Additional Standing Counsel

None

(For OSRTC)

Mr. Pratap Kumar Behera, Advocate
on behalf of Mr. Debasis Nayak, Advocate
(For Opp. Party No.4/CMC)

Mr. Dayananda Mohapatra, Senior Advocate
being assisted by Mr. Jyotirmay Barik, Advocate
(For Opp. Party No.5-CDA)

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SAVITRI RATHO

ORDER

20.11.2025

Order No.

- 17.
1. This matter is taken up through hybrid mode.
 2. Additional affidavit filed by the Petitioner is taken on record. Copy of the same is served on learned counsel for the Opposite Parties.
 3. Mr. Behera, learned counsel prays for an adjournment on behalf of Mr. Nayak, learned counsel for Opposite Party No.4/CMC.
 4. From the order sheet, it appears that on the last occasion, i.e., on 14th October, 2025, none had represented the Cuttack Municipal Corporation (CMC).



5. The Petitioner claims his right under the Street Venders (Protection of Livelihood and Regulation of Street Vending) Act, 2014. Thus, the CMC is a necessary party to be heard in this matter. It appears that although counter affidavit has been filed by CMC, but, learned counsel representing CMC is not participating in the hearing of the case.

6. Considering the prayer made by Mr. Behera, learned counsel appearing on behalf of Mr. Nayak, learned counsel for CMC, the matter stands adjourned to be listed on 9th December, 2025 along with connected writ petitions, on which date, either learned counsel representing Commissioner of CMC should participate in the hearing of the case or the CMC should make alternative arrangement for participation for effective hearing of the case.

7. Since it appears that learned counsel for OSRTC is not appearing regularly, it is directed that OSRTC should make similar arrangement on the next date.

8. Registry shall communicate this order to the Commissioner of CMC and Managing Director, OSRTC.

9. Interim order dated 4th March, 2021 passed in IA No.3436 of 2021 shall continue till the next date.

(K.R. Mohapatra)
Judge

(Savitri Ratho)
Judge

Rojalin