



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 6894 OF 2026

Rajat Kumar Tripathy

.... ***Petitioner***

Mr. Prateek Dash, Advocate

-VERSUS-

1. State of Odisha

2. Bhubaneswar Municipal Corporation (BMC)

3. Town vending Committee, Bhubaneswar Municipal Corporation (BMC), Janpath Road, Unit-09, Bhubaneswar

4. Bhubaneswar Development Authority (BDA)

.... ***Opposite Parties***

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAYA KUMAR MISHRA

ORDER

31.03.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Petitioner in this writ petition seeks protection under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (for brevity, 'the Act') and Odisha Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2015 (for brevity, 'the Scheme') and prays for a direction not to evict him from the place where he is running his business and earning livelihood.
3. Mr. Dash, learned counsel for the Petitioner submits that the Petitioner is running a Betel Shop, at Ward No.1, KIIT area, in front of KIIT Sai Temple, Bhubaneswar Dist-Khurda, Odisha



and is earning his livelihood. He was issued with a provisional certificate of trade license for a period of 12 months with effect from 1st April, 2023 by the Bhubaneswar Municipal Corporation. He was also issued with a certificate of street vending on 1st April, 2020, which was valid till 31st March, 2021. He was also issued with an identity card by the Deputy Commissioner of Bhubaneswar Municipal Corporation identifying himself as a street vendor. The Petitioner has also submitted application in Form II for issuance of street vending certificate in his favour. The same is pending with the Town Vending Committee, Bhubaneswar Municipal Corporation- Opposite Party No.3. During pendency of the said application, steps are being taken for his eviction. Hence, finding no other alternative, this Writ Petition has been filed.

4. Taking note of the submission made by Mr. Dash, learned counsel for the Petitioner and the order proposed to be passed, we feel that keeping the matter pending before this Court awaiting instruction from the Bhubaneswar Municipal Corporation will not serve any purpose.

5. Accordingly, the Court without expressing any opinion on the merits of the case of the Petitioner to be issued with a street vending certificate, disposes of the writ petition with a direction that on production of certified copy of this order along with a copy of application stated to have been filed in Form II of the Scheme, the Town Vending Committee, Bhubaneswar Municipal Corporation shall consider his application as expeditiously as possible within a period of one month therefrom. Till a decision is taken on the application stated to



have been filed by the Petitioner in Form II of the Scheme, no coercive measure for eviction of the Petitioner shall be taken by the Bhubaneswar Municipal Corporation.

Urgent certified copy of the order shall be granted on proper application.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Sipra